SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Thursday, April 17, 2008 at 9:00 am
1st Floor Conference Room
1926 Victoria Avenue, Fort Myers, FL 33901

AGENDA

Mission Statement

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

INVOCATION
PLEDGE OF ALLEGIANCE
ROLL CALL – Ms. Nichole Gwinnett

1. AGENDA
2. MINUTES OF MARCH 20, 2008

3. CONSENT AGENDA
- (a) Intergovernmental Coordination and Review
- (b) Financial Statement for March 31, 2008
- (c) City of Marco Island Comprehensive Plan Amendments (DCA 08-1ER)
- (d) Harborview DRI – 28 Day Sufficiency Response Extension Request
- (e) City of Punta Gorda Comprehensive Plan Amendments (DCA 08-1)
- (f) City of Cape Coral Comprehensive Plan Amendments (DCA 08-1)
- (g) Toll-Rattlesnake DRI – 90 Day Sufficiency Response Extension Request

4. THE LOOP DRI – STAFF ASSESSMENT – Mr. Jason Utley

5. ADMINISTRATIVE AGENDA
- (a) Memorandum of Understanding Between the RPCs that Comprise the FRCA regarding the Provision of Technical Assistance – **Mr. Ken Heatherington**
- (b) SWFRPC Annual Audit for FY 07 – **Mr. Jeff Tuscan, CPA of Stroemer Tuscan & Company, PA**
- (c) SWFRPC Annual Budget – **Ms. Janice Yell**

6. REGIONAL ISSUES
- (a) Connecting With Nature Presentation **(9:45 am)**
  - Dr. Bill Hammond, FGCU
  - Mr. Jim McLaughlin, WGCU TV
- (b) Lower West Coast Watersheds Subcommittee Report – **Mayor Mick Denham**
  - OSTDS Resolution Presentation – **Ms. Catherine Corbett, CHNEP**
- (c) Legislative Subcommittee Report – **Commissioner Jim Coletta**
- (d) Legislative Update – **Mr. Ken Heatherington**
- (e) Other Emerging Regional Issues

7. PUBLIC COMMENTS
8. DIRECTOR'S COMMENTS
9. STATE AGENCIES COMMENTS/REPORTS
10. COUNCIL ATTORNEY'S COMMENTS
11. COUNCIL MEMBERS' COMMENTS
12. ADJOURN

NEXT MEETING DATE
May 15, 2008

NOTES:

- **The Council's Executive Committee will be meeting at 8:15 am to discuss the Council's annual budget.**

- **The Council's Lower West Coast Watersheds Subcommittee will be meeting immediately following the Council meeting in the conference room.**

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meting should contact Ms. Deborah Kooi at the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (239) 338-2550 ext. #210; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD. Or email dkooi@swfrpc.org.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (SWFRPC) ACRONYMS

ABM - Agency for Bay Management - Estero Bay Agency on Bay Management

ADA - Application for Development Approval

ADA - Americans with Disabilities Act

AMDA -Application for Master Development Approval

BEBR - Bureau of Economic Business and Research at the University of Florida

BLID - Binding Letter of DRI Status

BLIM - Binding Letter of Modification to a DRI with Vested Rights

BLIVR -Binding Letter of Vested Rights Status

BPCC -Bicycle/Pedestrian Coordinating Committee

CAC - Citizens Advisory Committee

CAO - City/County Administrator Officers

CDBG - Community Development Block Grant

CDC - Certified Development Corporation (a.k.a. RDC)

CEDS - Comprehensive Economic Development Strategy (a.k.a. OEDP)

CHNEP - Charlotte Harbor National Estuary Program

CTC - Community Transportation Coordinator

CTD - Commission for the Transportation Disadvantaged

CUTR - Center for Urban Transportation Research

DCA - Department of Community Affairs

DEP - Department of Environmental Protection

DO - Development Order

DOPA - Designated Official Planning Agency (i.e. MPO, RPC, County, etc.)

EDA - Economic Development Administration

EDC - Economic Development Coalition

EDD - Economic Development District

EPA – Environmental Protection Agency

FAC - Florida Association of Counties

FACTS - Florida Association of CTCs

FAW - Florida Administrative Weekly

FCTS - Florida Coordinated Transportation System

FDC&F -Florida Department of Children and Families (a.k.a. HRS)

FDEA - Florida Department of Elder Affairs

FDLES - Florida Department of Labor and Employment Security

FDOT - Florida Department of Transportation

FHREDI - Florida Heartland Rural Economic Development Initiative

FIAM – Fiscal Impact Analysis Model

FLC - Florida League of Cities

FQD - Florida Quality Development

FRCA -Florida Regional Planning Councils Association

FTA - Florida Transit Association

IC&R - Intergovernmental Coordination and Review

IFAS - Institute of Food and Agricultural Sciences at the University of Florida

JLCB - Joint Local Coordinating Boards of Glades & Hendry Counties

JPA - Joint Participation Agreement

JSA - Joint Service Area of Glades & Hendry Counties

LCB - Local Coordinating Board for the Transportation Disadvantaged

LEPC - Local Emergency Planning Committee

MOA - Memorandum of Agreement

MPO - Metropolitan Planning Organization

MPOAC - Metropolitan Planning Organization Advisory Council

MPOCAC - Metropolitan Planning Organization Citizens Advisory Committee

MPOTAC - Metropolitan Planning Organization Technical Advisory Committee

NARC -National Association of Regional Councils

NOPC -Notice of Proposed Change

OEDP - Overall Economic Development Program

PDA - Preliminary Development Agreement

REMI – Regional Economic Modeling Incorporated

RFB - Request for Bids

RFP - Request for Proposals

RPC - Regional Planning Council

SHIP -State Housing Initiatives Partnership

SRPP – Strategic Regional Policy Plan

TAC - Technical Advisory Committee

TDC - Transportation Disadvantaged Commission (a.k.a. CTD)

TDPN - Transportation Disadvantaged Planners Network

TDSP - Transportation Disadvantaged Service Plans

USDA - US Department of Agriculture

WMD - Water Management District (SFWMD and SWFWMD)

_____Agenda
_____Item

2

Minutes 2

2

MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
MARCH 20, 2008

The regular meeting of the **Southwest Florida Regional Planning Council** was held on **March 20, 2008** at the Southwest Florida Regional Planning Council at 1926 Victoria Avenue in Fort Myers, Florida. The meeting was called to order at **9:02 am** by **Chairman Andrea Messina**. **Commissioner Kenneth Jones** led the Moment of Silence for Mike Rippe and then the Prayer and **Commissioner Paul Beck** led the Pledge of Allegiance. Administrative Services Specialist Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Commissioner Adam Cummings, Commissioner Tom Moore, Ms. Andrea Messina, Mr. Alan LeBeau

Collier County: Commissioner Jim Coletta, Commissioner Frank Halas, Councilman Charles Kiester, Councilwoman Teresa Heitmann, Ms. Laura Holquist, Ms. Patricia Carroll

Glades County: Commissioner Kenneth "Butch" Jones, Commissioner Paul Beck, Dr. Edward Elkowitz

Hendry County: Commissioner Janet Taylor, Mayor Paul Puletti, Mr. Melvin Karau

Lee County: Commissioner Brian Bigelow, Vice Mayor Larry Kiker, Mayor Mick Denham, Mayor Jim Humphrey, Mayor Eric Feichthaler

Sarasota County: Commissioner Jim Blucher, Councilman Ernie Zavodnyik, Mr. George Mazzarantani, Mr. David Farley

Ex-Officio Members: Mr. Johnny Limbaugh – FDOT, Mr. Jon Iglehart – FDEP, Ms. Dianne Davies, SWFWMD, Ms. Janet Watermeier – Watermeier Consulting & Property Services

MEMBERS ABSENT

Charlotte County: Councilmember Marilyn Smith-Mooney

Collier County: None

Glades County: Councilman Michael Brantley

Hendry County: Commissioner Bill Maddox, Mayor Mali Chamness

Lee County: Commissioner Bob Janes, Mayor Jay Arend

Sarasota County: Commissioner Shannon Staub, Commissioner Paul Mercier

Ex-Officio Membership: Mr. Phil Flood – SFWMD

AGENDA ITEM #1
AGENDA

Chairman Messina announced the arrangements for the celebration of Mike Rippe's life.

Chairman Messina asked if there any comments or recommendations from the members since this was the first month that the Council has tried the new electronic version. Commissioner Cummings recommended creating hot links in the pdf.

The agenda was approved as presented.

AGENDA ITEM #2
MINUTES OF FEBRUARY 21, 2008

Commissioner Halas moved and Commissioner Moore seconded to approve the minutes of February 21, 2008. The motion carried unanimously.

AGENDA ITEM #3
CONSENT AGENDA

Commissioner Beck noted that on Agenda Item #3(c) SunTrust Bank DRI – Development Order Review, page 3 of 7 under Item 2 that there is a typographical error where it is stated that "Parking lot lamps may not exceed 189 feet in height." It should be 18 feet in height.

Mr. Trescott explained that it is within Lee County's development order and he will notify Lee County of the typographical error to have it corrected.

Mayor Humphrey moved and Commissioner Halas seconded to approve the consent agenda as amended: Agenda Item #3(a) Intergovernmental Coordination and Review; Agenda Item #3(b) Financial Statement for February 29, 2008; and Agenda Item #3(c) SunTrust Bank DRI – Development Order Review. The motion carried unanimously.

AGENDA ITEM #4(a)
Government Owned Conservation Lands Update – Mr. Ken Heatherington

Mr. Heatherington and Mr. Beever reviewed the item as contained in the agenda packet.

Commissioner Halas asked if the table included lands owned by the federal government. Mr. Beever replied that it included those lands owned by the federal government which are conservation lands, but it does not include airports, landfills, fire stations, police stations, Indian Reservations, military bases, etc.

Commissioner Bigelow stated that the request from Mr. LeBeau was to obtain a count on what percentage of land was taken off of each county's tax rolls through government agency purchases (SFWMD, SWFWMD, CORPS, etc.) so even though this table was very informative it wasn't exactly what was requested. He suggested contacting the individual tax collector's offices.

Chairman Messina recommended amending the request and having staff bring back the amended information to the Council at a future meeting.

Mr. Limbaugh suggested placing the data sources on a map because it may be more visually represented than the numbers themselves. Chairman Messina directed staff to provide the Council with a visual map of the data sources.

AGENDA ITEM #4(b)
Visioning Update –Mr. Ken Heatherington

Mr. Heatherington gave a verbal report on the "Visioning" process.

AGENDA ITEM #4(c)
2007 SWFRPC Annual Report – Mr. Ken Heatherington

Mr. Heatherington gave a brief report on the 2007 SWFRPC Annual Report and noted that it was distributed to the members on CD.

Ms. Holquist asked if every regional planning council provides an annual report and if it was required by the State. Mr. Heatherington replied yes.

Mr. Heatherington introduced Mr. David Hutchinson as the Council's new Planning Director.

Ms. Jennifer Pellechio of staff reviewed the Regional Incubator Network handout.

Chairman Messina asked the definition of an "incubator." Ms. Pellechio explained that an "incubator" is a building where small starting businesses work with the universities and other organizations for training and then they move on.

AGENDA ITEM #5(a)
Impact of Agriculture on Southwest Florida – Dr. Fritz Roka, IFAS

Dr. Roka gave a PowerPoint presentation on the impact of agriculture on Southwest Florida and distributed a handout entitled "Economic Importance of Agriculture to Southwest Florida."

Commissioner Halas expressed his concerns on how the State of Florida has been taking prime agricultural land and turning it into development land and asked what initiatives can be taken to preserve the remaining farm (agricultural) lands in perpetuity. He noted that the land needs to be preserved either as farm land or green area because not only is it used for agriculture it is also used as an area to recharge the aquifer systems throughout the State of Florida. Dr. Roka stated that the market does not do a good enough job protecting public resources.

Dr. Roka explained that part of the idea of ecosystem payments and trying to get to a quantifiable deal is that everything comes down to politics. While we might agree that farming has to remain at all costs; there might be other people that might feel there are better uses for the land. Both sides have valid arguments; however, if we can get the market working where we can give the people incentives on how to manage their land and those incentives are based on science and on documental public values then there would be an easier political base to go through.

Commissioner Blucher first thanked Dr. Roka for his presentation and then referred to his slide which referred to $900 million in annual sales and asked what were the sales five years ago. Dr. Roka replied $900 million. Commissioner Blucher replied that we are still making $900 million on less land. Dr. Roka explained that the $900 million figure is their annual revenue.

Commissioner Blucher stated that he feels that the agriculture industry needs to look at also harvesting the wind and sun for energy source alternatives and asked Dr. Roka where he sees the government's role in such an industry. Should agricultural lands be used more for alternative energy needs and, in turn, should the local governments be giving more value for the land if they are used for alternative energy sources, or should it be kept for agricultural purposes. Dr. Roka replied he is in agreement with that option and would welcome that type of incentive. The biggest challenge that the agriculture producers are going to have is changing their mindset and having to deal with the government(s) (federal, state, and/or local).

Commissioner Cummings stated that he feels that one of the most important things will be the agricultural industry finding the niche markets.

Mayor Puletti stated that historically agriculture has been an important part of Southwest Florida, and that it needs to be determined if agriculture is going to maintain its role in the region and is it important enough to us. As we are discussing the loss of land for taxable value, we need to be aware that for the rural counties/communities, whether you are a farmer or not, the economy is dependent on agriculture. He then asked what types of guidance the rural communities can look for in order to mitigate that transition for that potential impact. Dr. Roka replied have we done a good enough job evaluating the cost of development, because residential housing does create a deficit to the local government's budget versus agriculture. So in that case, would Hendry County want to become a "bedroom" community to Fort Myers?

Ms. Davies explained that power generation, especially wind power, can be co-located on farmland and the farmers would still be able to grow their produce or raise their cattle and generate their energy source.

Dr. Roka stated that he has heard discussions within US Sugar Corporation, which produces sugar and is a potential source of ethanol, that they have not yet figured out that they can make more money from ethanol than raw sugar. But if gasoline prices keep rising and the equation turns around then he is sure that US Sugar will change their production from manufacturing sugar to ethanol.

Commissioner Beck noted that he is the third generation of cattle farmers in Glades County and does not support NAFTA and is against turning food products into fuel and becoming dependent on foreign countries for food; because once we do that, the people are going to forget about the high cost of fuel because they are going to be too concerned about getting something to eat.

Dr. Elkowitz thanked Dr. Roka for his presentation and stated that the discussion that the Council has been having is regarding short-term issues and there needs to be a discussion on a long-term proposal because 50 years ago this country was independent of oil from other countries and now we are in an economic disaster and now the same thing is happening with our farms.

Vice Mayor Kiker stated that profit means efficiency and when government regulation gets involved in private businesses the efficiency goes away. Although subsidizing sets direction, which is good thing, it also sets dependency and people become dependent upon the government.

Councilman Zavodnyik asked Dr. Roka if he had any comments to make on the treatment of agricultural workers. Dr. Roka explained there are issues with agricultural workers and there are specific cases that need to be specifically dealt with (i.e. issues of slavery, human trafficking, etc.), but he would disagree that agriculture by nature and by law mistreat farmworkers. The bottom line is that farmworkers are in the lower strata of the economic base. Florida's minimum wage is currently higher than the federal minimum wage and believes that as the immigration debate moves forward that Florida will have to import people to do agricultural work, and in order to do that, they are going to be paid even more than the minimum wage, in housing, transportation, etc.

Dr. Roka explained that the agricultural employer community is more regulated in the area of farmworkers than other industries. Undocumented farmworkers is another issue.

AGENDA ITEM #5(b)
Lower West Coast Watersheds Subcommittee Report – Mayor Mick Denham

Mayor Denham gave the status report and briefly reviewed the contents within the agenda packet. He also noted how healthy Sanibel's beaches are and also the Caloosahatchee River due to the lack of discharges and that there haven't been any occurrences of red tide along the coastline.

Commissioner Halas suggested sending the information that the subcommittee has collected up to Mote Marine in Sarasota and believes that the data should be carefully reviewed and scrutinized because there have always been those that have stated that red tide was a natural phenomenon and is not caused by nutrient runoff.

Dr. Elkowitz stated that he doesn't see any local government taking the lead in how we are going to provide clean water for the future population growth and believes that the Council should start addressing that issue (i.e. desalinization, reverse osmosis, etc.).

Commissioner Halas explained that there needs to be study done of the load carrying capacity of the State of Florida, not only for water, but building the infrastructure for 36 million people.

Mr. Beever explained that there is an ongoing effort called the Lower West Coast Water Supply Plan by the SFWMD and he will arrange to have a presentation given at future meeting to explain their long-term plans for water resources.

Mayor Denham stated that there will be a presentation on potable water supply along with a draft resolution for the Council's consideration at the April meeting.

Mr. Farley requested that when the SFWMD gives their presentation that they also explain why they don't look at the seven big natural springs for water supply needs.

AGENDA ITEM #5(c)
Legislative Subcommittee Report – Commissioner Jim Coletta

Commissioner Coletta reviewed the item as contained within the agenda packet. He also announced that former Representative J. Dudley Goodlette is present and will be attending the Legislative Subcommittee which is scheduled to meet immediately following the Council meeting.

Commissioner Coletta then reviewed SB1966 by Senator Bennett.

Commissioner Cummings expressed concern that the local governments will still have to do concurrency, but the developers will not.

Mr. Mazzarantani explained that the bill proposes a proportionate fair share allowing people to go 15 years, doesn't mean that you can go to the 14th year and realize that you don't have the money to pay for it, but that it is probably going to be tiered into five year increments. You can do the planning based on 15 years, but if you go five years and you still don't have the money then the permitting will stop.

Commissioner Coletta announced that the Southwest Florida Consortium Legislative Day will take place on April 2nd in Tallahassee. He then introduced former Representative J. Dudley Goodlette.

Mr. Goodlette gave a brief overview of Florida's Taxation and Budget Reform Commission which is constitutionally mandated and meets every 20 years. The group is composed of 25 members, 11 appointed by the Governor, 7 appointed by the Speaker of the House, and 7 appointed by presiding Officer of the President of the Senate. They have been meeting for approximately a year and have been considering two separate types of matters:

- Constitutional Proposals: Which if proposals pass the Commission (need at least a 17-5 vote in the affirmative or 2/3 of the entire body), they then go to the Style and Drafting Committee and then on to the ballot.

- Statutory Recommendations

Mr. Goodlette gave an overview of Proposal 002 – McKay Amendment which deals with increasing the sales tax and eliminating the required local effort. He then gave an overview of Proposal 045 – Taxpayer Bill of Rights which proposes a revenue cap on local governments,

including special districts, community development districts, etc. and revenue is broadly defined. He directed members to the Commission's website www.Floridatbrc.org for further information on both proposals and encouraged the members to visit the website.

Commissioner Cummings stated that he feels that the discussion that needs to be taking place is "what is the most effective means of raising the revenue necessary to meet the needs of our communities in a cost effective manner," because part of the problem is that the forms of raising revenue available to local government tend to be very regressive (property taxes and municipal benefit service units). Mr. Goodlette stated that the Commission has heard those concerns and will be hearing more of them regarding Proposal 045 and will need to take them into consideration.

Commissioner Halas stated that he feels that "Home Rule" is being eroded by the Legislature with tax cuts and the local governments have to provide the infrastructure.

Ms. Holquist referred to Proposal 045 and stated that either the original version or a more recent version had a community development district and it has made them unworkable in the original draft. While she understood that there has been some changes made, she was concerned if they were instituted would it make the community development districts workable again. Mr. Goodlette replied that he believed that they would.

Councilman Kiester asked if the Commission ever considered an expenditure cap. Mr. Goodlette replied yes, Proposal 045 was first drafted as an expense cap, but then it changed into a revenue cap from a spending cap.

Commissioner Coletta introduced Mr. Bill Barton, Chairman of the Southwest Florida Expressway Authority.

Mr. Barton gave an overview of the Southwest Florida Expressway Authority and its objective for the I-75 widening project. He explained that the Authority will be reviewing proposals for widening I-75, CR951, and 10-laning I-75 in 20 years.

Mayor Humphrey noted that he has great concerns with CR951 and its alignment in Lee County because of Alico Road, and recommended that the Authority review the population statistics for Lehigh Acres because currently they have surpassed Cape Coral for growth and Mr. Barton noted that they were showing that the growth was showing west of I-75.

AGENDA ITEM #5(d)
Legislative Update – Mr. Ken Heatherington

Mr. Heatherington reviewed the item as contained in the agenda packet.

Mr. Iglehart gave a brief status report on DEP's proposed submerged lands legislation for assessments of $2,000 for freshwater and $4,500 for saltwater lots that would be upstream of dredging projects. He explained that it is a first draft effort to change the way an existing fee is collected from private developments that are bringing a channel into their unit. Currently, they conduct an appraisal process at the end of the permitting process, which goes on for several

months, so the appraisal group went back a couple a years and looked at the average assessment increase and came up with the $2,000 for fresh and $4,500 for saltwater and applied it to either a lot, slip, or a private development. There has been 18 done within the past five years and this is one way that DEP is looking as reducing government in the process.

Mr. Mazzarantani asked if it includes maintenance dredging. Mr. Iglehart replied that it does not include maintenance dredging, only new dredging for private needs.

AGENDA ITEM #5(e)
Other Emerging Regional Issues

Mr. Heatherington reviewed the item as contained within the agenda packet.

AGENDA ITEM #6
PUBLIC COMMENTS

No public comments were made at this time.

AGENDA ITEM #7
DIRECTOR'S COMMENTS

Mr. Heatherington thanked Dr. Roka, former Representative Goodlette, and Mr. Barton for their presentations and the Councilmembers for their support and input in the visioning process.

AGENDA ITEM #8
STATE AGENCIES COMMENTS/REPORTS

Mr. Iglehart announced that DEP is holding a public meeting tonight at Mariner High School in Cape Coral to discuss the potential removal of Cietus Boat Lift.

AGENDA ITEM #9
COUNCIL ATTORNEY'S COMMENTS

Counsel Donley announced that the CHNEP will be holding its Signing Ceremony on Monday, March 24th at 2:00 pm for its CCMP in Punta Gorda. Also, on Tuesday, March 25th at approximately 2:30 pm, Senator Martinez is expected to be attending the CHNEP's Watershed Summit which is being held at the ECC Campus in Port Charlotte.

AGENDA ITEM #10
COUNCILMEMBERS' COMMENTS

No Councilmembers' comments were made at this time.

AGENDA ITEM #11
ADJOURN

The meeting adjourned at 12:15 pm.

_____
Commissioner Paul Beck, Secretary

The meeting was duly advertised in the March 7, 2008 issue of the FLORIDA ADMINISTRATIVE WEEKLY, Volume 34, Number 10.

_____Agenda
_____Item

3

Consent Agenda

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3

CONSENT AGENDA

Agenda Item #3(a) – Intergovernmental Coordination and Review

Approval of the administrative action clearinghouse review items.

Agenda Item #3(b) – Financial Statement for March 31, 2008

Approve the financial statement for March 31, 2008 as presented.

Agenda Item #3(c) – City of Marco Island Comprehensive Plan Amendments (DCA 08-1ER)

Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and to the City of Marco Island.

Agenda Item #3(d) – Harborview DRI – 28 Day Sufficiency Response Extension Request

Approve the applicant's request for an extension.

Agenda Item #3(e) – City of Punta Gorda Comprehensive Plan Amendments (DCA 08-1)

Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and to the City of Punta Gorda.

Agenda Item #3(f) – City of Cape Coral Comprehensive Plan Amendments (DCA 08-1)

Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and to the City of Cape Coral.

Agenda Item #3(g) – Toll-Rattlesnake DRI – 90 Day Sufficiency Response Extension Request

Approve the applicant's request for a 90 day sufficiency response extension.

RECOMMENDED ACTION: Approve consent agenda as presented.

_____Agenda
_____Item

3a

Intergovernmental
Coordination & Review

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Project Review and Coordination Regional Clearinghouse Review

The attached report summarizes the project notifications received from various governmental and non-governmental agencies seeking federal assistance or permits for the period beginning March 1, 2008 and ending March 31, 2008.

The staff of the Southwest Florida Regional Planning Council reviews various proposals, Notifications of Intent, Preapplications, permit applications, and Environmental Impact Statements for compliance with regional goals, objectives, and policies of the Regional Comprehensive Policy Plan. The staff reviews such items in accordance with the Florida Intergovernmental Coordination and Review Process (Chapter 29I-5, F.A.C.) and adopted regional clearinghouse procedures.

Council staff reviews projects under the following four designations:

> Less Than Regionally Significant and Consistent - no further review of the project can be expected from Council.
>
> Less Than Regionally Significant and Inconsistent - Council does not find the project to be of regional importance, but notes certain concerns as part of its continued monitoring for cumulative impacts within the noted goal areas.
>
> Regionally Significant and Consistent - Project is of regional importance and appears to be consistent with Regional goals, objectives and policies.
>
> Regionally Significant and Inconsistent - Project is of regional importance and appears not to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The report includes the SWFRPC number, the applicant name, project description, location, funding or permitting agency, and the amount of federal funding, when applicable. It also includes the comments provided by staff to the applicant and to the State Clearinghouse (Office of Planning and Budgeting) in Tallahassee.

RECOMMENDED ACTION: Approval of the administrative action on Clearinghouse Review items.

04/2008

ICR Council - 2000/08

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2007-060	Dr. Lainie Edwards	FDEP - Bureau of Beaches & Coastal Systems	Sarasota County	Longboat Key Permeable Adjustable Groins at the Islander Club in Sarasota County, Florida.			Regionally Significant and Consistent
2008-001	Ms. Sherry L. Allen	Southeastern Network of Youth & Family	Lee County	Southeastern Network of Youth & Family Services - SEN AmeriCorps Project in Lee County, Florida.	Corp. for National & Community	$504,419.00	Regionally Significant and Consistent
2008-004	Ms. Lainie Edwards	FDEP - Environmental Permitting	Sarasota County	FDEP - Bureau of Beaches & Coastal Systems - Longboat Key Permeable Adjustable Groins at the Islander - Town of Longboat Key, Sarasota County, Florida.			Regionally Significant and Consistent
2008-005	Mr. Richard Weingarten	Charlotte Count Human Services	Charlotte County	Charlotte County Transit Department - 49 USC Section 5307 Grant Application for FY 2008.			Regionally Significant and Consistent
2008-006	Ms. Barbara Gaiser	School District of Lee County	Lee County	School District of Lee County - Lee Links Language to Literacy.			Regionally Significant and Consistent
2008-007	Ms. Carmen Monroy	Lee County Transit	Lee County	Lee County Transit - FL-37-X027 FY 2006 JARC Grant Application USC 5316 Job Access Reverse Commute.	FTA	$47,145.00	Regionally Significant and Consistent
2008-008	Ms. Carmen Monroy	Lee County Transit	Lee County	Lee County Transit - FL-57-X005 FY 2006 Grant Application USC 5317 New Freedom.	FTA	$34,795.00	Regionally Significant and Consistent
2008-009	Ms. Amity Chandler	Charlotte County Public Schools	Charlotte County	Charlotte County Public Schools - Reduce Alcohol Abuse			Regionally Significant and Consistent

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2008-010	Ms. Theresa M. Cook, Executive Director	Collier County Airport Authority	Collier County	Collier County Airport Authority - To contruct a machine and steel manufacturing facility 20,000 square foot building at the Immokalee Regional Airport in Collier County, Florida.	USDA	$1,495,000.00	Regionally Significant and Consistent
2008-011	Mr. Mark A. Schulz, Env. Admin.	FDOT	Region	FDOT - Advance Notification - SR 29 PD&E Study from North of SR 82 to south of CR 80A, FPID NO. 417878-2-22-01 in Hendry and Collier Counties, Florida (Previous ETDM No. 8668)			Regionally Significant and Consistent
2008-012	Dr. Carl Brunick	School District of Lee County	Lee County	School District of Lee County - Myth Busting.	US Dept. of Education	$704,189.00	Regionally Significant and Consistent
2008-013	Mr. Patrick Hayhurst	School District of Lee County	Lee County	School District of Lee County - Securing Our Schools	US Department of Education	$400,729.00	Regionally Significant and Consistent
2008-014	Ms. Jana Hambruch	School District of Lee County	Lee County	School District of Lee County - Starting an Academic Epidemic Grant.	US Department of Education	$2,746,772.00	Regionally Significant and Consistent

Review in Progress

SWFRPC #	First Name	Last Name	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2007-006			Lee County	Lee County Transit - Rural operating assistance for Lee County, Florida under USC Section 5311 Non-Urbanized Area Forumula Program.	Federal Transit Administration	$258,300.00	Review in Progress
2007-048			Lee County	FDEP JCP File #: 0262704-001-JC - South Bank Properties, LLC - North Capitva Island Beach Restoration Project in Lee County, Florida.			Review in Progress
2008-002			Collier County	FDEP - Bureau of Beaches & Coastal Systems - Doctor's Pass North Jetty Rehabilitation in Collier County, Florida.			Review in Progress
2008-003			Collier County	FDEP - Bureau of Beaches & Coastal Systems - Hideaway Beach Groins and Beach Fill Modification in Collier County, Florida.			Review in Progress

_____Agenda
_____Item

3b

Financial Statement

For March 31, 2008

3b

Agenda Item #

MONTHLY FINANCIAL CONTENTS

For the month ending March 31, 2008

	Pages
Financial Reports:	
Balance Sheet - Governmental Types and Account Groups	1
Balance Sheet - Assets, Liabilities and Capital	2
Income Statement - Combined	3
This page is a comparsion of the budget and actual for the current month as well as the year to date figures. It also includes the net income for both the month and the year to date. The last column of the report reflects the percentage spent of the budget in each expense line as well as the overall total.	
Explanation of Council's Financial at current month end including:	4
- Percentage of Budget Spent for RPC, MPO, and NEP and any predicted expenses as to percentages not within acceptable range. There may be further comments on the breakdown of actual expenses.	
- Net income at current month end	
- Graphs showing the distribution of revenues and expenses	
- Any other notes felt needed at this time	
Amendments	5
As requested, amendments will be made as needed thoughout the year rather then at year end as previously accepted.	
Breakdown of actual expenses for the RPC, MPO, NEP including - percentages and any amendments requested.	
Combined RPC/MPO/NEP	6
NEP	7
MPO	8
RPC Total	9
RPC by Project	10
Income statement - Comparsion of current year vs. prior year	11
This page is a comparsion of the actual figures for the current month and year to date to the previous year's figures. It also includes the net income for both years.	

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
COMBINED BALANCE SHEET -
GOVERNMENTAL FUND TYPES AND ACCOUNT GROUPS
March-08

	Governmental Fund Types		Account Groups		Totals
	General Fund	Special Revenue Fund	General Fixed Assets	General Long-Term Debt	(Memorandum Only)
ASSETS AND OTHER DEBIT					
Cash and cash equivalents	$ 414,162	$ -	$ -	$ -	$ 414,162
Investments	645,897	-	-	-	645,897
Receivables - grants and contracts	-	403,172	-	-	403,172
Receivables - other	(61)	-	-	-	(61)
Due from other funds	-	456,571	-	-	456,571
Other assets	1,094	-	-	-	1,094
Property and equipment, net	-	-	1,694,060	-	1,694,060
Amount to be provided for retirement of general long-term debt	-	-	-	1,427,710	1,427,710
TOTAL ASSETS AND OTHER DEBIT	$ 1,061,092	$ 859,743	$ 1,694,060	$ 1,427,710	$ 5,042,605
LIABILITIES, FUND EQUITY AND OTHER CREDIT					
LIABILITIES					
Accounts payable and accrued expenses	$ 2,984	$ -	$ -	$ -	$ 2,984
Retainage payable	28,210	-	-	-	28,210
Due to other governments	-	-	-	-	-
Due to other funds	456,571	-	-	-	456,571
Deferred revenue - grants and contracts	-	859,743	-	-	859,743
Accrued compensated absences	-	-	-	74,159	74,159
Notes payable	-	-	-	1,353,551	1,353,551
TOTAL LIABILITIES	487,765	859,743	-	1,427,710	2,775,219
FUND EQUITY AND OTHER CREDIT					
Investment in general fixed assets	-	-	1,694,060	-	1,694,060
Fund balance					
Reserved, designated	471,600	-	-	-	471,600
Unreserved, undesignated	101,727	-	-	-	101,727
TOTAL FUND EQUITY AND OTHER CREDIT	573,327	-	1,694,060	-	2,267,386
TOTAL LIABILITIES, FUND EQUITY AND OTHER CREDIT	$ 1,061,092	$ 859,743	$ 1,694,060	$ 1,427,710	$ 5,042,605

SWFRPC
Balance Sheet
March 31, 2008

ASSETS

Current Assets			
Cash - Bank of America Oper.	$ 91,931.35		
Cash - Bank of America Max.	322,030.96		
Cash - FL Local Gov't Pool	593,994.61		
Cash - FL Gov't Pool-Fund B	51,902.39		
Petty Cash	200.00		
Accounts Receivable	304,693.15		
Accounts Receivable-MPO	98,478.60		
Accounts Receivable-RC&D	(61.25)		
Bulk Mail Prepaid Postage	1,094.06		
Amount t.b.p. for L.T.L.-Leave	74,159.14		
Amount t.b.p. for L.T.Debt	1,353,550.91		
Total Current Assets			2,891,973.92
Property and Equipment			
Property, Furniture & Equip	1,989,951.25		
Accumulated Depreciation	(295,891.67)		
Total Property and Equipment			1,694,059.58
Total Assets		$	4,586,033.50

LIABILITIES AND CAPITAL

Current Liabilities			
Accounts Payable	$ 2,576.67		
Accounts Payable - RDC	(61.25)		
Retainage Payable	28,209.97		
Deferred Income	859,743.15		
United way Payable	248.00		
Deferred Compensation Payable	(30.00)		
Accrued Annual Leave	74,159.14		
Long Term Debt - Bank of Am.	1,353,550.91		
LEPC Contintency Fund	250.59		
Total Current Liabilities			2,318,647.18
Total Liabilities			2,318,647.18
Capital			
Fund Balance-Unrestricted	94,245.52		
Fund Balance-Restricted	471,600.00		
Fund Balance-Fixed Assests	1,694,059.58		
Net Income	7,481.22		
Total Capital			2,267,386.32
Total Liabilities & Capital		$	4,586,033.50

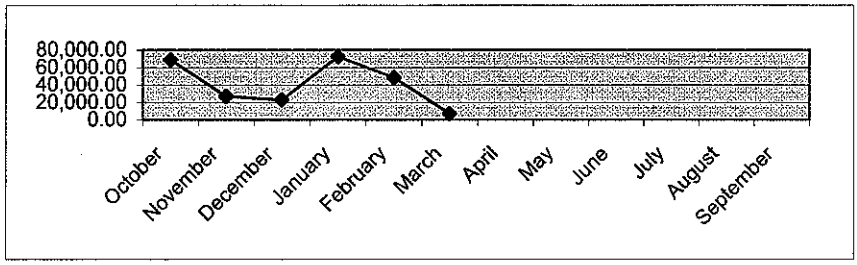
SWFRPC
Income Statement
Compared with Budget
For the Six Months Ending March 31, 2008

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget	Percentage Spent
Revenues					
Total Revenues	234,603.69	404,834.33	1,582,158.27	4,858,012.00	
Expenses					
Salaries Expense	119,387.43	144,368.25	724,444.72	1,732,419.00	41.82%
FICA Expense	9,006.14	10,416.67	58,518.84	125,000.00	46.82%
Retirement Expense	12,434.83	14,166.67	67,767.08	170,000.00	39.86%
Health Insurance Expense	12,329.72	19,166.67	103,363.27	230,000.00	44.94%
Workers Comp. Expense	590.00	1,250.00	3,540.00	15,000.00	23.60%
Legal Fees Expense	0.00	833.33	0.00	10,000.00	0.00%
Grant/Consulting Expense	5,317.52	3,333.33	1,909.04	40,000.00	4.77%
NEP-Contractual	24,945.53	22,691.67	225,825.27	272,300.00	82.93%
MPO-Contractual	2,148.40	69,012.50	22,006.67	228,150.00	9.65%
Audit Services Expense	21,617.00	4,083.33	48,617.00	49,000.00	99.22%
Travel Expense	6,323.57	5,041.67	20,140.26	60,500.00	33.29%
Telephone Expense	1,126.79	1,666.67	4,817.22	20,000.00	24.09%
Postage / Shipping Expense	665.46	3,333.33	9,897.18	40,000.00	24.74%
Storage Unit Rental	186.00	258.33	1,116.00	3,100.00	36.00%
Equipment Rental Expense	3,114.13	3,916.67	19,086.34	47,000.00	40.61%
Insurance Expense	0.00	2,833.33	27,455.93	34,000.00	80.75%
Repair/Maint. Expense	2,202.82	3,333.33	11,063.17	40,000.00	27.66%
Printing/Reproduction Expense	126.00	8,583.33	29,588.51	103,000.00	28.73%
Utilities (Elec, Water, Gar)	1,676.35	2,666.67	10,709.12	32,000.00	33.47%
Advertising Expense	1,079.10	795.83	6,401.16	9,550.00	67.03%
Other Misc. Expense	83.43	437.50	828.39	5,250.00	15.78%
Office Supplies Expense	3,204.98	2,375.00	14,480.52	28,500.00	50.81%
Computer Related Expense	9,544.40	4,583.33	25,216.68	55,000.00	45.85%
Publication Expense	651.00	883.33	1,090.50	10,600.00	10.29%
Prof. Develop./Dues Expense	5,135.00	3,416.67	32,100.95	41,000.00	78.30%
Meetings/Events Expense	16,061.30	5,733.33	30,770.91	68,800.00	44.73%
Capitol Outlay Expense	0.00	3,666.67	2,596.80	44,000.00	5.90%
Capitol Outlay - Building	0.00	4,166.67	7,450.00	50,000.00	14.90%
Long Term Debt	10,645.92	10,666.67	63,875.52	128,000.00	49.90%
Reserve for Operations Expense	0.00	47,153.58	0.00	565,843.00	0.00%
Total Expenses	269,602.82	404,834.33	1,574,677.05	4,258,012.00	36.98%
Net Income	($ 34,999.13)	0.00 $	7,481.22 $	0.00	

The next few pages are a breakdown of actual expenses for each project in Special Revenues as well as in general operations. Included in these pages, as requested, are percentages for each line item and an overall percentage spent by the RPC, NEP, and MPO.

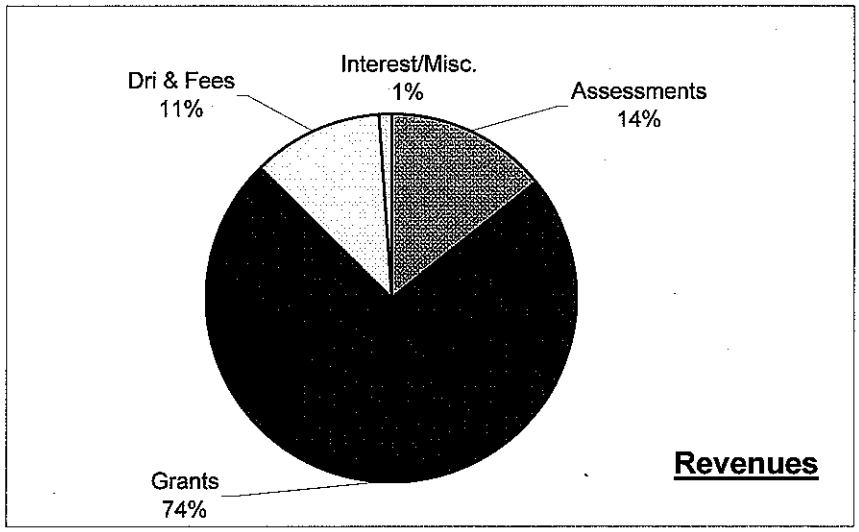
The overall percentage of the Budget spent is	32.41%
The percentage of the RPC Budget spent is	30.61%
The percentage of the MPO Budget spent is	15.24%
The percentage of the NEP Budget spent is	51.72%

For the month ending March 31, 2008 $7,481 is our net income.

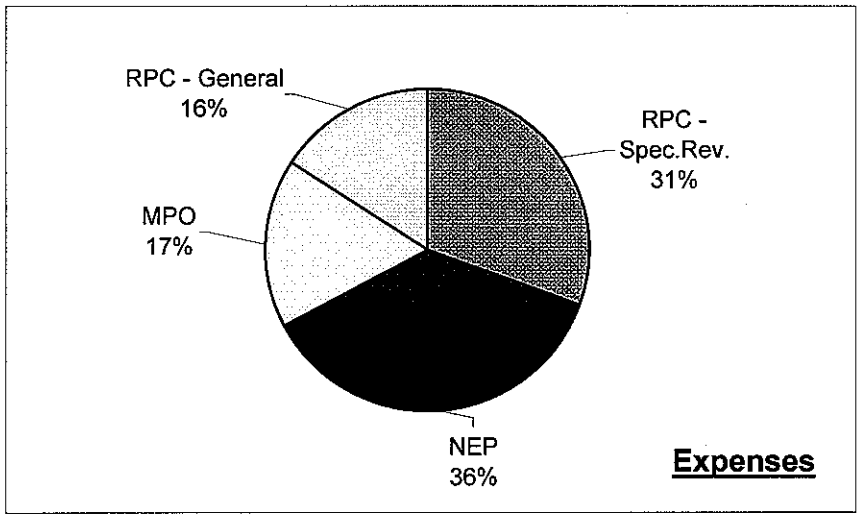


Net Income (unaudited)

As can be seen in this graph, the net income moves in quarterly cycles.



Revenues	
Assessments	225,216
Grants	1,158,532
Dri & Fees	178,827
Interest/Misc.	19,583
	1,582,158



Expenses	
RPC - Spec.Rev.	482,475
NEP	575,788
MPO	268,571
RPC - General	247,844
	1,574,677

As requested, are any amendments needed at this time. These amendments are explained below:

Two lines are being adjusted in our Budget:

1 As per the Auditors, we must now show our Y/E Fund Balance as carry over into the new year.
As an offset to the carry over, on the expense side we now have a reserve for operation expenses.
Fund balance at 9/30/07 was $565,843.

2 The second item adjusted is the fringe/indirect allocation. We originally showed this as a reimbursement to the General Fund. We are now recording this reallocation on the expense side and it is shown as an allocation from General to the Special Revenues.
Fringe/Indirect support is $868,660.

3 The allocation amendment brings MPO and NEP Budgets into balance by showing the allocation as an expense.
At the same time, we are adjusting the Grant Revenue line in the General Fund to bring that fund into balance rather then show an anticipated net income as per suggestion by the auditors. Only the actual net income will be reflected.
Original anticipated net income $13,328
Net YTD income at 3/31/08 is $7,481

The following are transfers within the RPC:

4 Transfer $1,000 from Storage Unit Rental to Professional Development
Transfer $2,000 from Other Miscelleanous to Audit Expense

5 Reduce MPO budget by $600,000 - portion of budget/grant contingent on receipt

RPC-MPO-NEP Combined
Budget vs. Actual
For the month ending March 31, 2008

	Combined Actual	Combined Budget	Combined Amended Budget	Combined Total Amendments	Combined Amended Budget	Combined VARIABLE	50.00%	Combined Comments
Revenues								
Membership Dues	225,216	450,432	450,432	0	450,432	225,216	50.00%	
Federal/State/Local Grants	1,158,532	3,675,065	3,675,065	-713,328	2,961,737	1,803,205	39.12%	
Dri/Monitoring Fees	178,827	250,000	250,000	0	250,000	71,173	71.53%	
Interest And Miscellaneous	19,583	30,000	30,000	0	30,000	10,417	65.28%	
NEP/MPO Fringe/Indirect Support								
Carry Over Fund Balance		0	0	565,843	565,843			
Total Income	1,582,158	4,405,497	4,405,497	-147,485	4,258,012	2,110,011		
Expenditures								
Direct:								
Salaries	724,445	1,732,419	1,732,419	0	1,732,419	1,007,974	41.82%	
FICA	58,519	125,000	125,000	0	125,000	66,481	46.82%	
Retirement	67,767	170,000	170,000	0	170,000	102,233	39.86%	
Health Insurance	103,363	230,000	230,000	0	230,000	126,637	44.94%	
Workers Compensation	3,540	15,000	15,000	0	15,000	11,460	23.60%	
Legal Fees	0	10,000	10,000	0	10,000	10,000	0.00%	
Consultant Fees	1,909	158,000	40,000	0	40,000	38,091	4.77%	
NEP Contractual	225,825	272,300	272,300	0	272,300	46,475	82.93%	
MPO Contractual	22,007	710,150	828,150	-600,000	228,150	206,143	9.65%	
Audit Fees	48,617	47,000	47,000	2,000	49,000	383	99.22%	
Travel	20,140	60,500	60,500	0	60,500	40,360	33.29%	
Telephone	4,817	20,000	20,000	0	20,000	15,183	24.09%	
Postage	9,897	40,000	40,000	0	40,000	30,103	24.74%	
Storage Space Rental	1,116	4,100	4,100	-1,000	3,100	1,984	36.00%	
Equipment Rental	19,086	47,000	47,000	0	47,000	27,914	40.61%	
Insurance	27,456	34,000	34,000	0	34,000	6,544	80.75%	
Repair/Maintenance	11,063	40,000	40,000	0	40,000	28,937	27.66%	
Printing/Reproduction	29,589	103,000	103,000	0	103,000	73,411	28.73%	
Utilities (Elec, Gas, Water)	10,709	32,000	32,000	0	32,000	21,291	33.47%	
Advertising	6,401	9,550	9,550	0	9,550	3,149	67.03%	
Other Miscelleanous	828	7,250	7,250	-2,000	5,250	4,422	15.78%	
Office Supplies	14,481	28,500	28,500	0	28,500	14,019	50.81%	
Computer Related Expenses	25,217	55,000	55,000	0	55,000	29,783	45.85%	
Publications	1,091	10,600	10,600	0	10,600	9,510	10.29%	
Professional Development	32,101	40,000	40,000	1,000	41,000	8,899	78.30%	
Meetings/Events	30,771	68,800	68,800	0	68,800	38,029	44.73%	
Capital Outlay-Operations	2,597	44,000	44,000	0	44,000	41,403	5.90%	
Capital Outlay-Building	7,450	150,000	150,000	-100,000	50,000	42,550	14.90%	
Long Term Debt	63,876	128,000	128,000	0	128,000	64,124	49.90%	
Allocation of Fringe/Indirect				0	0	0		
Reserve for Operation Expense				565,843	565,843	565,843		
Total Cash Outlays	1,574,677	4,392,169	4,392,169	-134,157	4,258,012	2,683,335	36.98%	
Net Income/(Loss)	7,481	13,328	13,328	-13,328	0			

NEP
Budget vs. Actual
For the month ending March 31, 2008

	CHNEP Actual	CHNEP Original Budget	NEP Amended Budget	CHNEP Requested Amendments	CHNEP Amended Budget	CHNEP VARIABLE	50.00%	CHENP Comments
Revenues								
Membership Dues		0	0		0	0		
Federal/State/Local Grants	575,788	1,113,316	1,113,316		1,113,316	537,528	51.72%	
Dri/Monitoring Fees		0	0		0	0		
Interest And Miscellaneous		0	0		0	0		
NEP/MPO Fringe/Indirect Support								
Carry Over Fund Balance		0	0		0	0		
Total Income	575,788	1,113,316	1,113,316	0	1,113,316	537,528		
Expenditures								
Direct:								
Salaries	121,363	291,416	291,416		291,416	170,053	41.65%	
FICA	0				0	0		
Retirement	0				0	0		
Health Insurance	0				0	0		
Workers Compensation	0				0	0		
Legal Fees	0				0	0		
Consultant Fees	0				0	0		
NEP Contractual	225,825	272,300	272,300		272,300	46,475	82.93%	
MPO Contractual	0				0	0		
Audit Fees	0				0	0		
Travel	7,093	21,500	21,500		21,500	14,407	32.99%	
Telephone	289	1,500	1,500		1,500	1,211	19.24%	
Postage	8,007	10,000	10,000		10,000	1,993	80.07%	
Storage Space Rental	375	1,000	1,000		1,000	625	37.50%	
Equipment Rental	0				0	0		
Insurance	0				0	0		
Repair/Maintenance	0				0	0		
Printing/Reproduction	27,955	83,000	83,000		83,000	55,045	33.68%	
Utilities (Elec, Gas, Water)	0				0	0		
Advertising	521	550	550		550	29	94.78%	
Other Miscelleanous	3	750	750		750	747	0.42%	
Office Supplies	2,268	1,500	1,500		1,500	-768	151.22%	
Computer Related Expenses	1,684	3,000	3,000		3,000	1,316	56.15%	
Publications	425	500	500		500	75	85.00%	
Professional Development	5,183	8,500	8,500		8,500	3,317	60.98%	
Meetings/Events	16,521	33,800	33,800		33,800	17,279	48.88%	
Capital Outlay-Operations	0	6,000	6,000		6,000	6,000	0.00%	
Capital Outlay-Building	0		0		0	0		
Long Term Debt					0	0		
Allocation of Fringe/Indirect	158,274			378,000	378,000	219,726		
Reserve for Operation Expense								
Total Cash Outlays	575,788	735,316	735,316	378,000	1,113,316	537,528	51.72%	
Net Income/(Loss)								

MPO
Budget vs. Actual
For the month ending March 31, 2008

	MPO Actual	MPO Original Budget	MPO Amended Budget	MPO Requested Amendments	MPO Amended Budget	MPO VARIABLE	50.00%	MPO Comments
Revenues								
Membership Dues		0	0		0	0		
Federal/State/Local Grants	268,571	1,761,749	1,761,749	-600,000	1,161,749	893,178	23.12%	
Dri/Monitoring Fees		0	0		0	0		
Interest And Miscellaneous		0	0		0	0		
NEP/MPO Fringe/Indirect Support								
Carry Over Fund Balance		0	0		0	0		
Total Income	268,571	1,761,749	1,761,749	-600,000	1,161,749	893,178		
Expenditures								
Direct:								
Salaries	102,890	388,839	388,839		388,839	285,949	26.46%	
FICA	0				0	0		
Retirement	0				0	0		
Health Insurance	0				0	0		
Workers Compensation	0				0	0		
Legal Fees	0				0	0		
Consultant Fees	0	118,000	0		0	0		
NEP Contractual	0		0		0	0		
MPO Contractual	22,007	710,150	828,150	-600,000	228,150	206,143	9.65%	
Audit Fees	0				0	0		
Travel	996	9,000	9,000		9,000	8,004	11.07%	
Telephone	497	3,500	3,500		3,500	3,003	14.19%	
Postage	786	8,000	8,000		8,000	7,214	9.82%	
Storage Space Rental	0				0	0		
Equipment Rental	0				0	0		
Insurance	0				0	0		
Repair/Maintenance	0				0	0		
Printing/Reproduction	270	5,000	5,000		5,000	4,730	5.40%	
Utilities (Elec, Gas, Water)	0				0	0		
Advertising	5,210	6,000	6,000		6,000	790	86.84%	
Other Miscelleanous	166	500	500		500	334	33.20%	
Office Supplies	2,169	5,000	5,000		5,000	2,831	43.38%	
Computer Related Expenses	400	2,000	2,000		2,000	1,600	20.00%	
Publications	0	600	600		600	600	0.00%	
Professional Development	477	1,500	1,500		1,500	1,023	31.80%	
Meetings/Events	73	5,000	5,000		5,000	4,927	1.46%	
Capital Outlay-Operations	0	8,000	8,000		8,000	8,000	0.00%	
Capital Outlay-Building	0				0	0		
Long Term Debt	0				0	0		
Allocation of Fringe/Indirect	132,630			490,660	490,660	358,030		
Reserve for Operation Expense								
Total Cash Outlays	268,571	1,271,089	1,271,089	-109,340	1,161,749	893,178	23.12%	
Net Income/(Loss)								

Regional Planning Council
Budget vs. Actual
For the month ending March 31, 2008

	Total RPC Actual	Total RPC Budget	RPC Amended Budget	RPC Requested Amendments	RPC Amended Budget	RPC VARIABLE	50.00%	RPC Comments
Revenues								
Membership Dues	225,216	450,432	450,432		450,432	225,216	50.00%	
Federal/State/Local Grants	314,173	800,000	800,000	*-113,328*	686,672	485,827	45.75%	
Dri/Monitoring Fees	178,827	250,000	250,000		250,000	71,173	71.53%	
Interest And Miscellaneous	19,583	30,000	30,000		30,000	10,417	65.28%	
NEP/MPO Fringe/Indirect Support		868,660	868,660	-868,660	0			
Carry Over Fund Balance				565,843	565,843	0	0.00%	
Total Income	737,800	2,399,092	2,399,092	-416,145	1,982,947	792,632		
Expenditures								
Direct:								
Salaries	500,192	1,052,164	1,052,164		1,052,164	551,972	47.54%	
FICA	58,519	125,000	125,000		125,000	66,481	46.82%	
Retirement	67,767	170,000	170,000		170,000	102,233	39.86%	
Health Insurance	103,363	230,000	230,000		230,000	126,637	44.94%	
Workers Compensation	3,540	15,000	15,000		15,000	11,460	23.60%	
Legal Fees	0	10,000	10,000		10,000	10,000	0.00%	
Consultant Fees	1,909	40,000	40,000		40,000	38,091	4.77%	
NEP Contractual	0							
MPO Contractual	0							
Audit Fees	48,617	47,000	47,000	2,000	49,000	383	99.22%	
Travel	12,051	30,000	30,000		30,000	17,949	40.17%	
Telephone	4,032	15,000	15,000		15,000	10,968	26.88%	
Postage	1,105	22,000	22,000		22,000	20,895	5.02%	
Storage Space Rental	741	3,100	3,100	-1,000	2,100	1,359	35.29%	
Equipment Rental	19,086	47,000	47,000		47,000	27,914	40.61%	
Insurance	27,456	34,000	34,000		34,000	6,544	80.75%	
Repair/Maintenance	11,063	40,000	40,000		40,000	28,937	27.66%	
Printing/Reproduction	1,363	15,000	15,000		15,000	13,637	9.09%	
Utilities (Elec, Gas, Water)	10,709	32,000	32,000		32,000	21,291	33.47%	
Advertising	670	3,000	3,000		3,000	2,330	22.32%	
Other Miscelleanous	659	6,000	6,000	-2,000	4,000	3,341	16.48%	
Office Supplies	10,043	22,000	22,000		22,000	11,957	45.65%	
Computer Related Expenses	23,132	50,000	50,000		50,000	26,868	46.26%	
Publications	666	9,500	9,500		9,500	8,835	7.01%	
Professional Development	26,441	30,000	30,000	1,000	31,000	4,559	85.29%	
Meetings/Events	14,176	30,000	30,000		30,000	15,824	47.25%	
Capital Outlay-Operations	2,597	30,000	30,000		30,000	27,403	8.66%	
Capital Outlay-Building	7,450	150,000	150,000	-100,000	50,000	42,550	14.90%	
Long Term Debt	63,876	128,000	128,000		128,000	64,124	49.90%	
Allocation of Fringe/Indirect	-290,904			-868,660	-868,660	-577,756	33.49%	
Reserve for Operation Expense				565,843	565,843	565,843		
Total Cash Outlays	730,319	2,385,764	2,385,764	-402,817	1,982,947	1,252,628	30.61%	
Net Income/(Loss)	7,481	13,328	13,328	-13,328	0			

Regional Planning Council
Budget vs. Actual
For the month ending March 31, 2008

	DCA	HMEP/SQG/ EMERG	Economic Developmt.	Huricane Evac/Sea Level Rise	TDs	DRIs/ NOPCs	Other Contracts	Total RPC Special Rev.	General	Empl.Bene.	Total RPC General	Total RPC Actual
Revenues												
Membership Dues								0	225,216		225,216	225,216
Federal/State/Local Grants	189,000	31,140	13,247	40,928	31,908		7,950	314,173			0	314,173
Dri/Monitoring Fees						178,827		178,827			0	178,827
Interest And Miscellaneous								0	19,583		19,583	19,583
NEP/MPO Fringe/Indirect Support												
Carry Over Fund Balance								0			0	0
Total Income	189,000	31,140	13,247	40,928	31,908	178,827	7,950	493,000	244,799	0	244,799	737,800
Expenditures												
Direct:												
Salaries	81,016	4,055	13,980	17,393	8,087	72,221	3,435	200,186	171,605	128,400	300,006	500,192
FICA	0	0	0	0	0	0	0	0	0	58,519	58,519	58,519
Retirement	0	0	0	0	0	0	0	0	0	67,767	67,767	67,767
Health Insurance	0	0	0	0	0	0	0	0	0	103,363	103,363	103,363
Workers Compensation	0	0	0	0	0	0	0	0	0	3,540	3,540	3,540
Legal Fees	0	0	0	0	0	0	0	0	0	0	0	0
Consultant Fees	-5,961	1,300	0	0	0	4,620	0	-41	1,950	0	1,950	1,909
NEP Contractual	0	0	0	0	0	0	0	0	0	0	0	0
MPO Contractual	0	0	0	0	0	0	0	0	0	0	0	0
Audit Fees	0	0	0	0	0	0	0	0	48,617	0	48,617	48,617
Travel	3,234	708	57	667	15	499	0	5,180	6,871	0	6,871	12,051
Telephone	0	0	309	305	0	154	0	767	3,265	0	3,265	4,032
Postage	14	0	226	0	0	22	0	262	843	0	843	1,105
Storage Space Rental	0	0	0	0	0	0	0	0	741	0	741	741
Equipment Rental	0	0	0	0	0	0	0	0	19,086	0	19,086	19,086
Insurance	0	0	0	0	0	0	0	0	27,456	0	27,456	27,456
Repair/Maintenance	0	0	0	0	0	0	0	0	11,063	0	11,063	11,063
Printing/Reproduction	0	0	0	0	0	0	0	0	1,363	0	1,363	1,363
Utilities (Elec, Gas, Water)	0	0	0	0	0	0	0	0	10,709	0	10,709	10,709
Advertising	0	0	50	0	84	0	0	135	535	0	535	670
Other Miscelleanous	0	0	0	0	0	0	0	0	659	0	659	659
Office Supplies	0	0	0	0	0	0	0	0	10,043	0	10,043	10,043
Computer Related Expenses	0	0	0	0	0	0	0	0	23,132	0	23,132	23,132
Publications	0	0	0	0	0	0	0	0	666	0	666	666
Professional Development	255	0	0	0	0	0	0	255	26,186	0	26,186	26,441
Meetings/Events	0	14,558	11	0	0	0	0	14,569	-393	0	-393	14,176
Capital Outlay-Operations	0	0	0	0	0	0	0	0	2,597	0	2,597	2,597
Capital Outlay-Building	0	0	0	0	0	0	0	0	7,450	0	7,450	7,450
Long Term Debt									63,876	0	63,876	63,876
Allocation of Fringe/Indirect	106,192	5,312	18,022	22,564	10,688	93,868	4,515	261,161	-552,065		-552,065	-290,904
Reserve for Operation Expense												
Total Cash Outlays	184,749	25,933	32,656	40,928	18,874	171,383	7,950	482,475	-113,745	361,589	247,844	730,319
Net Income/(Loss)												7,481

SWFRPC
Income Statement - Two Years
For the Six Months Ending March 31, 2008

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year
Revenues				
Total Revenues	234,603.69	218,305.72	1,582,158.27	1,525,043.34
Expenses				
Salaries Expense	119,387.43	113,766.65	724,444.72	713,904.68
FICA Expense	9,006.14	8,587.10	58,518.84	55,548.05
Retirement Expense	12,434.83	11,800.76	67,767.08	67,255.98
Health Insurance Expense	12,329.72	13,389.57	103,363.27	96,652.78
Workers Comp. Expense	590.00	680.00	3,540.00	3,968.00
Grant/Consulting Expense	5,317.52	1,365.00	1,909.04	4,335.00
NEP-Contractual	24,945.53	56,262.75	225,825.27	157,509.71
MPO-Contractual	2,148.40	0.00	22,006.67	19,601.38
Audit Services Expense	21,617.00	0.00	48,617.00	39,000.00
Travel Expense	6,323.57	7,661.64	20,140.26	25,687.72
Telephone Expense	1,126.79	808.68	4,817.22	6,350.50
Postage / Shipping Expense	665.46	983.12	9,897.18	14,872.83
Storage Unit Rental	186.00	186.00	1,116.00	1,116.00
Equipment Rental Expense	3,114.13	3,068.25	19,086.34	19,299.78
Insurance Expense	0.00	0.00	27,455.93	29,877.52
Repair/Maint. Expense	2,202.82	975.00	11,063.17	7,730.90
Printing/Reproduction Expen	126.00	8,043.99	29,588.51	28,750.84
Utilities (Elec, Water, Gar)	1,676.35	1,581.97	10,709.12	11,170.86
Advertising Expense	1,079.10	1,029.93	6,401.16	3,463.35
Other Misc. Expense	83.43	0.00	828.39	484.65
Office Supplies Expense	3,204.98	2,097.11	14,480.52	10,460.31
Computer Related Expense	9,544.40	3,840.99	25,216.68	21,833.83
Publication Expense	651.00	0.00	1,090.50	428.78
Prof. Develop./Dues Expens	5,135.00	537.36	32,100.95	26,609.86
Meetings/Events Expense	16,061.30	2,330.56	30,770.91	19,311.57
Capitol Outlay Expense	0.00	0.00	2,596.80	16,128.58
Capitol Outlay - Building	0.00	0.00	7,450.00	0.00
Long Term Debt	10,645.92	10,645.92	63,875.52	63,875.52
Total Expenses	269,602.82	249,642.35	1,574,677.05	1,465,228.98
Net Income	$ (34,999.13)	$ (31,336.63)	$ 7,481.22	$ 59,814.36

_____Agenda
_____Item

3c

City of Marco Island

Comp Plan Amendments

3c

3c

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
CITY OF MARCO ISLAND

The Council staff has reviewed a proposed amendment to the City of Marco Island Comprehensive Plan (DCA 08-PEFE1). This amendment was developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than 80% of the county threshold for a development of regional impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

Proposed Amendment	Factors of Regional Significance			
	Location	Magnitude	Character	Consistent
DCA 08-PEFE1	no	no	yes	(1) procedural; (2) regionally significant; (3) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and to the City of Marco Island.

04/08

Attachment I

LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
   A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e.g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:
Charlotte County, Punta Gorda
Collier County, Everglades City, Marco Island, Naples
Glades County, Moore Haven
Hendry County, Clewiston, LaBelle
Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
Sarasota County, Longboat Key, North Port, Sarasota, Venice

Comprehensive Plan Amendments

A local government may amend its plan twice a year. (Amendments related to Developments of Regional Impact, certain small developments, compliance agreements, and the Job Siting Act are not restricted by this limitation.) Six copies of the amendment are sent to the Department of Community Affairs for review. A copy is also sent to the regional planning council, the water management district, the Florida Department of Transportation, and the Florida Department of Environmental Protection.
[s. 163.3184(3)(a)]

The proposed amendment will be reviewed by DCA in two situations. In the first, there must be a written request to DCA. The request for review must be received within forty-five days after transmittal of the proposed amendment. [s. 163.3184(6)(a)] Review can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DCA can decide to review the proposed amendment without a request. In that case, DCA must give notice within thirty days of transmittal.
[(s. 163.3184(6)(b)]

Within five working days after deciding to conduct a review, DCA must forward copies to various reviewing agencies, including the regional planning council. [s. 163.3184(4)]

Regional Planning Council Review

The regional planning council must submit its comments in writing within thirty days of receipt of the proposed amendment from DCA. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the regional planning council must be limited to "effects on regional resources or facilities identified in the strategic regional policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government."
[s. 163.3184(5)]

After receipt of comments from the regional planning council and other reviewing agencies, DCA has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DCA transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) AND THE RULE (9J-11, FAC) FOR DETAILS.

Attachment II

SWFRPC COMMENTS
Marco Island Comprehensive Plan Amendments

Proposed Amendment (DCA 08-PEFE1)

These proposed amendments to the Marco Island Comprehensive Plan have been initiated by the City in response to the State's School Concurrency requirement as identified in Chapter 163.3184(3)(b). The School Concurrency requirements are intended to assure that future plans provided by the local School Boards for new schools are include in and are consistent with the local government's adopted Comprehensive Plan. These City initiated amendments address the necessary changes to the Comprehensive Plan to meet concurrency requirements.

Specifically, the amendments include revisions to the existing Interlocal Agreement between the Collier County School District, Collier County Board of County Commissioners and the Cities of Marco Island, Everglades, and Naples. This agreement was included in the amendment package to reflect the new School Concurrency requirements as approved by the local governments.

As provided for in the Interlocal Agreement, the proposed amendments found in this request impacts three elements of the City's Comprehensive Plan: Public Schools Facilities Element, Intergovernmental Coordination Element, and Capital Improvements Element. These elements were changed as follows:

1. The Public Schools Facilities Element is a new element added to the plan and provided new set goals, policies and objectives that related to the provision of public school facilities;

2. The Intergovernmental Coordination Element revised the City's existing Intergovernmental Coordination Element to reference the need to coordinate with the Collier County School District in the review of new non-exempt residential development proposals, population projections, the location of public schools, and other matters related to public school facilities; and

3. The Capital Improvements Element revised the City's Capital Improvements Element to include level of service standards for public schools and to reference the Collier County School District's Summary of Capital Improvements Plan Table.

Regional Significance and Consistency

These proposed amendments provide for significant changes in the City's Comprehensive plan. Council staff has reviewed these changes and finds they are regional in nature in that they impact

the character of the region through improving the public educational facilities. Council staff also finds that the changes are procedural in that they are addressing State requirements for school facilities to address concurrency issues and that they are coordinated with local government Comprehensive Plan elements.

Council staff therefore finds that requested amendments are procedural, regional in nature, and consistent with the following SRPP, July 4, 2002 Goals, Strategies and Policies:

Economic Development

Economic Infrastructure

Goal 1: A well-maintained social, health, and educational infrastructure to support business and industry.

Strategy: Continually improve the educational system to produce an educated and trained work force.

Action 1: Use the economic advisory committees to assist in the exchange of information between the educational system and the business community about business needs.

Action 2: Use the economic advisory committees to advise educational institutions to increase upper division and graduate level studies through programs appropriate to regional needs.

Action 3: Review proposed development impacts on and opportunities to provide needed educational facilities and services.

Strategy: Maintain the physical infrastructure to meet growth demands.

Action 1: Review plan amendments, development proposal, and clearinghouse items for public facility deficits and encourage mitigation of those deficits.

Action 2: Assist local governments and state agencies in planning for future support service facilities, before the need arises.

Action 3: Review proposed public facilities to ensure their location in urban areas that have in place, or are covered by binding agreements to provide, the resources and facilities for desired growth in an environmentally acceptable manner.

Action 4: Study alternative and assist other entities to study alternatives to encourage land development that maximizes the use, rehabilitation, and re-use of existing facilities, structures, and buildings as an alternative to new construction and development.

Action 5: Review proposed public facilities and services to ensure that costs are allocated on the basis of benefits received by existing and future residents.

Action 6: Review proposed development to require the developer to install or finance the necessary infrastructure and to provide land for the needed support services.

Action 7: Assist local governments to obtain funding to maintain, improve, or expand their infrastructure.

Conclusion

Council staff finds that the requested changes to the City of Marco Island Comprehensive Plan related to School Concurrency are procedural in nature, regionally significant because it will significantly impact the educational resources of the region, and consistent with the Goals, Strategies and Actions of the SRPP.

_____Agenda
_____Item

3d

Harborview DRI – 28 Day

Sufficiency Extension Request

3d

3d

HARBORVIEW SUBSTANTIAL DEVIATION REQUEST FOR SUFFICIENCY RESPONSE EXTENSION

The applicant's agent for the Harborview Development of Regional Impact Substantial Deviation has requested a 28 day extension to the deadline for responding to the Application for Development Approval's sufficiency questions. The Florida Administrative Code's DRI Rule 29I-4.001(5) allows the Executive Director of the Regional Planning Council to administratively grant an initial 45-day time extension to any sufficiency response period. The Executive Director granted a 45-day extension to the sufficiency response period on January 14, 2008 (please see Attachment I). The 45-day extension set the new deadline for sufficiency responses to March 04, 2008. Subsequent to granting the 45-day extension, the applicant's agent submitted a letter to the Southwest Florida Regional Planning Council on February 14, 2008 requesting an additional 45-day extension to the sufficiency response period (please see Attachment II). A 45-day extension was granted at the Council meeting held on February 21, 2008. The 45-day extension set the new deadline for sufficiency responses to April 18, 2008. The current deadline for sufficiency responses is April 18, 2008. The applicant has submitted a letter requesting a 28-day extension to the sufficiency response period (please see Attachment III). The new proposed deadline for sufficiency responses would be May 16, 2008. The Florida Administrative Code's DRI Rule 29I-4.001(5) states "Any further time extension, beyond the discretionary 45 day time extension, must be formally requested by the applicant and approved by the SWFRPC board at its regular monthly meeting, prior to expiration of the discretionary 45 day extension."

Staff recommends approval of this extension.

ATTACHMENT I

Southwest Florida Regional Planning Council

1926 Victoria Avenue, Fort Myers, Florida 33901-3414
(239)338-2550 FAX (239)338-2560 SUNCOM (239)748-2550

January 14, 2008

Mr. M. Troy Salisbury
CPH Engineers, Inc.
3277 A Fruitville Road
Sarasota, FL 34237

RE: Request for 45 day time extension for the Harborview Substantial Deviation sufficiency responses

Dear Mr.Salisbury:

The Florida Administrative Code's DRI Rule 29I-4.001(5) allows the Executive Director to administratively grant an initial 45-day time extension to any sufficiency response period. FAC Rule 29I-4.001(5) reads in part, "The SWFRPC Executive Director, at his discretion, may grant an additional 45 day extension, upon formal written request for an extension by the applicant. Any further time extension, beyond the discretionary 45 day time extension, must be formally requested by the applicant and approved by the SWFRPC board at its regular monthly meeting, prior to expiration of the discretionary 45 day extension." We will approve your request for a 45 day extension. Initially, your sufficiency responses were due by January 19, 2008. Your new deadline for sufficiency responses is now March 4, 2008. If you would like to extend the deadline further, please send a written request on or before February 5, 2008 so we can schedule your item to be heard before the Council. If you have any questions or need additional information, please let me know.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Ken Heatherington
Executive Director

KH/ju

Enclosure

cc: Applicant, Charlotte County, Reviewing Agencies

ATTACHMENT II

3277 A Fruitville Road
Sarasota, Florida 34237

Phone: 941.365.4771
Fax: 941.365.4779

www.cphengineers.com

February 14, 2008

Mr. Jason Utley, Regional Planner/ Assistant DRI Coordinator
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, FL 33901
239-338-2550

Subject: Harborview DRI Sufficiency Response #1- Extension Request

Dear Mr. Utley:

Our office is diligently compiling our responses to the above listed project and we are currently awaiting additional information from outside agencies to fully address your comments.

Regarding the project referenced above, we respectfully request an extension to respond to the comments dated September 21, 2007.

Our completed Harborview DRI Sufficiency Response #1 will be delivered to your offices no later than April 18, 2008, although we will earnestly try to re-submit before the March 4, 2008 deadline.

If you have any questions or comments please contact me at 941-365-4771.

Sincerely,

M. Troy Salisbury

M. Troy Salisbury, Project Manager
CPH Engineers, Inc.

Cc: File

ATTACHMENT III

3277 A Fruitville Road
Sarasota, Florida 34237

Phone: 941.365.4771
Fax: 941.365.4779

www.cphengineers.com

April 8, 2008

Mr. Jason Utley, Regional Planner/ Assistant DRI Coordinator
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, FL 33901
239-338-2550

Subject: Harborview DRI Sufficiency Response #1- Extension Request

Dear Mr. Utley:

Our office continues to diligently compile our responses to the above listed project and we are currently awaiting additional information to provide follow-up data in order to fully address your comments.

Regarding the project referenced above, we respectfully request an extension to respond to the comments dated September 21, 2007.

Our completed Harborview DRI Sufficiency Response #1 will be delivered to your offices no later than May 16, 2008, although we will earnestly try to re-submit before the April 18, 2008 deadline.

I apologize for the delay, but feel it is necessary in order to completely address all of the agencies questions.

If you have any questions or comments please contact me at 941-365-4771.

Sincerely,

M. Troy Salisbury, Project Manager
CPH Engineers, Inc.

Cc: File

_____Agenda
_____Item

3e

City of Punta Gorda Comprehensive Plan Amendments (DCA 08-1)

3e

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
CITY OF PUNTA GORDA

The Council staff has reviewed the proposed text amendments to the City of Punta Gorda Comprehensive Plan, Volume II (DCA 08-1). These text amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. (A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I, staff comments are provided in Attachment II, and a location map is provided in Attachment III.)

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the county threshold for a development of regional impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

Proposed	Factors of Regional Significance			
Amendment	Location	Magnitude	Character	Consistent
CP-02-07	no	no	no	(1) procedural (2) not regionally significant; (3) consistent with the SRPP
CP-02-08	no	no	no	(1) not regionally significant; (2) consistent with the SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and City of Punta Gorda.

04/08

LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
   A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:
Charlotte County, Punta Gorda
Collier County, Everglades City, Marco Island, Naples
Glades County, Moore Haven
Hendry County, Clewiston, LaBelle
Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
Sarasota County, Longboat Key, North Port, Sarasota, Venice

Comprehensive Plan Amendments

A local government may amend its plan twice a year. (Amendments related to developments of regional impact, certain small developments, compliance agreements, and the Job Siting Act are not restricted by this limitation.) Six copies of the amendment are sent to the Department of Community Affairs for review. A copy is also sent to the regional planning council, the water management district, the Florida Department of Transportation, and the Florida Department of Environmental Protection.
[s. 163.3184(3)(a)]

The proposed amendment will be reviewed by DCA in two situations. In the first, there must be a written request to DCA. The request for review must be received within forty-five days after transmittal of the proposed amendment. [s. 163.3184(6)(a)] Review can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DCA can decide to review the proposed amendment without a request. In that case, DCA must give notice within thirty days of transmittal.
[(s. 163.3184(6)(b)]

Within five working days after deciding to conduct a review, DCA must forward copies to various reviewing agencies, including the regional planning council. [s. 163.3184(4)]

Regional Planning Council Review

The regional planning council must submit its comments in writing within thirty days of receipt of the proposed amendment from DCA. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the regional planning council must be limited to "effects on regional resources or facilities identified in the strategic regional policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government."
[s. 163.3184(5)]

After receipt of comments from the regional planning council and other reviewing agencies, DCA has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DCA transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) AND THE RULE (9J-11, FAC) FOR DETAILS.

Attachment II

SWFRPC COMMENTS
City of Punta Gorda Comprehensive Plan Amendments
DCA 08-1

Proposed Amendment (Palm Automotive) CP-02-07

This amendment is an applicant initiated request for a change to the City's Comprehensive Plan Future Land Use Map (FLUM) from Commercial Corridor/County (CC/County) to Highway Commercial/City (HC/City) and from High Density Residential/County to Highway Commercial/City (HC/City). The request is being made to make the County land use designation a City designation. The subject property was annexed by the City and this request changes the County land use designations to the appropriate City land use designation. The subject property contains 33.38 acres in size and is located on US 41 just south of Henry Street.

Based on the City's staff report, the requested land use designation is consistent with the surrounding land use designations and the subject site currently lies within the City's service area and has adequate water and sewer capacity available to handle the planned needs of future development on the site. In addition, stormwater requirements for the property will be met as part of the redevelopment approval process which any development will have to go through and solid waste disposal will not degrade current Levels of Service. Finally, the traffic generated from the site can be accommodated by existing transportation facilities. The proposed redesign for the property contains potential connections the may decrease some of the traffic on US 41 in the area of the proposed change.

Council Staff Findings

Based on the City's staff report, this request is procedural in nature in that it is change existing County land use designation to the more current City land use designations. Because the site is only slightly over 33 acres in size, it is unlikely that a Development of Regional Impact (DRI) sized project could be fit onto the site.

Therefore, Council staff finds that the proposed amendment is procedural in nature, not regionally significant in that it does not have sufficient magnitude to have regional impacts, and is not unique in character, nor is it located in an area of concern.

Council staff therefore finds the proposed land use amendment is consistent with the following Goals, Strategies and Actions of the Strategic Regional Policy Plan, July 4, 2002:

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Goal 4: Livable communities designed to improve quality of life and provide for the sustainability of our natural resources.

Strategy: Promote through the Council's review roles community design and development principles that protect the Regions natural resources and provide for an improve quality of life.

Action 6: Working in cooperation with agencies and local governments insure new public facilities, facility expansions and additions avoid designated natural resource protection areas.

Proposed Amendment (Public Works Campus) CP-02-08

This amendment is a City initiated request for a change to the City's Comprehensive Plan Future Land Use Map (FLUM) from an existing land used designation of Public to a new future land use designation of Professional Office and Residential and Commercial. The request is being made to correct a problem in the plan in that the subject site was identified as an inappropriate use in the City's Comprehensive Plan. The subject property contains 16.47 acres in size and is located on US 41 and Marion Street.

As proposed, the proposed development will contain 140-160 multi-family units and approximately 100,000-125,000 square feet of office space. The City staff report states that the impacted roads will meet or exceed the City's mandated Level of Service D for its classified roads. In addition, the City staff reports that the trip generation from the development may be the same or similar to the existing site. There is a potential for interaction among the land uses with the multi-use portion of the project, especially where trips can be made by walking. City staff has stated that the total trip generation of vehicle trips may be reduced with the new land use designation and multi-use project proposed for the property due to a sum of individual trip made on foot.

Based on the City's staff report, the requested land use designations are consistent with the surrounding land use designations and the subject site currently lies within the City's service area and has adequate water and sewer capacity available to handle the planned needs of future development on the site. In addition, stormwater requirements for the

property will be met as part of the redevelopment approval process which any development will have to go through and solid waste disposal will not degrade current Levels of Service

This project will be a unique addition to the City. The current use of the property is inconsistent with surrounding neighborhoods. The Public Works facility currently using the site contains trucks, chain link fencing, and City supplies. The project sits at the entrance to a single family residential development and is adjacent to additional residential communities. The subject site receive extensive damage by Hurricane Charlie in 2004. The propose mixed use project will provide for new buildings, built to current codes at proper elevations as well as provide a mix of residential and affordable/work force housing (approximately 10%) as well as some commercial opportunities.

Council Staff Findings

Based on the City's staff report, because the site is only slightly over 16 acres in size, it is unlikely that a Development of Regional Impact (DRI) sized project could be fit onto the site.

Therefore, Council staff finds that the proposed amendment is not regional significant in that it does not have sufficient magnitude to have regional impacts, is not unique in character, nor is it located in an area of concern that has not been previously considered.

Council staff therefore finds the proposed land use amendment is consistent with the following Goals, Strategies and Actions of the Strategic Regional Policy Plan, July 4, 2002:

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Goal 4: Livable communities designed to improve quality of life and provide for the sustainability of our natural resources.

Strategy: Promote through the Council's review roles community design and development principles that protect the Regions natural resources and provide for an improve quality of life.

Action 6: Working in cooperation with agencies and local governments insure new public facilities, facility expansions and additions avoid designated natural resource protection areas.

Conclusion

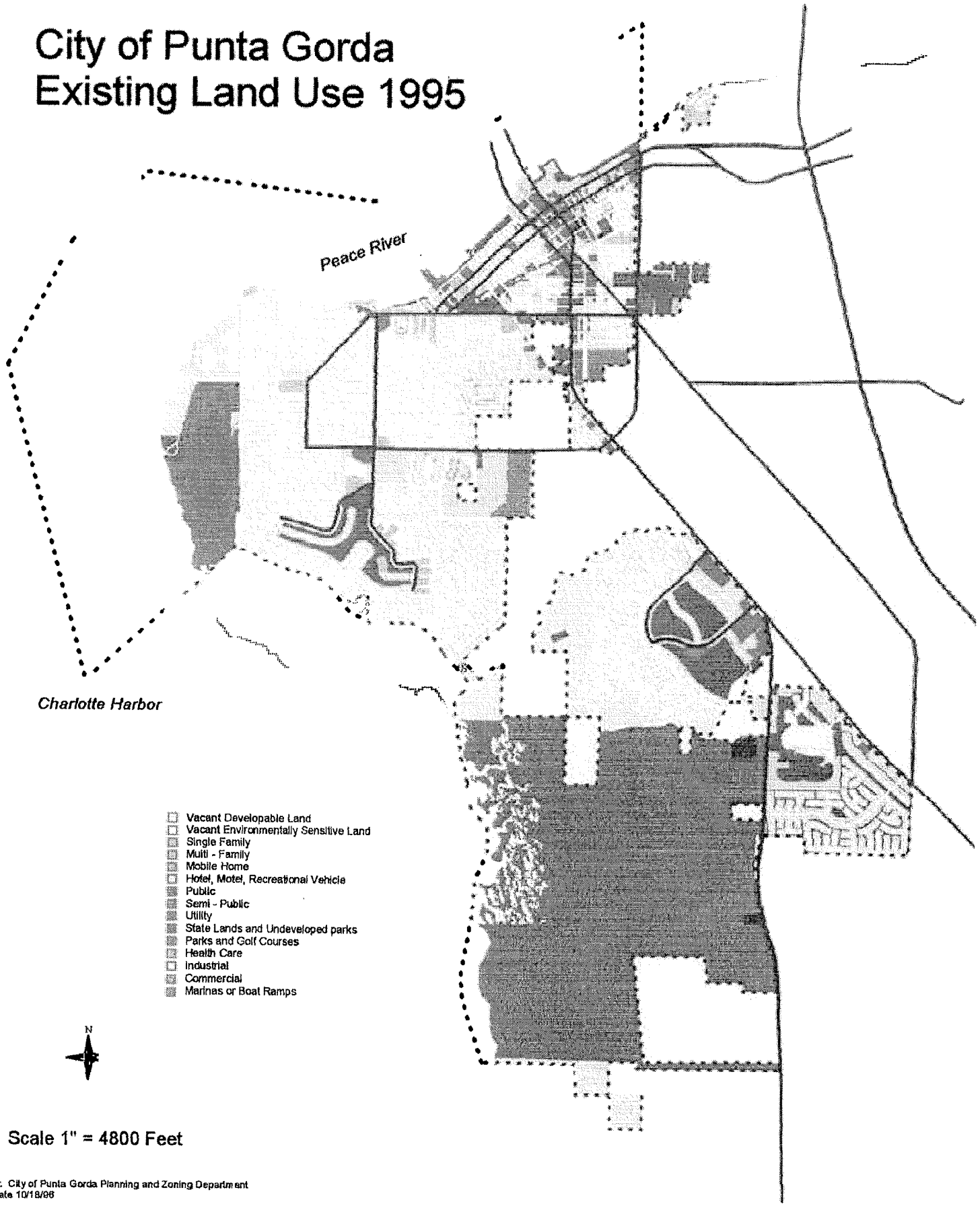
CP-02-08 was found to be procedural. Both of the requested FLUM amendments were found not to be regionally significant and consistent with the SRPP. The issues associated with the proposed amendments have been adequately addressed by the City. Council staff has recommends that the proposed amendment be approved.

Attachment III

Maps

City of Punta Gorda
DCA 08-1

City of Punta Gorda
Existing Land Use 1995

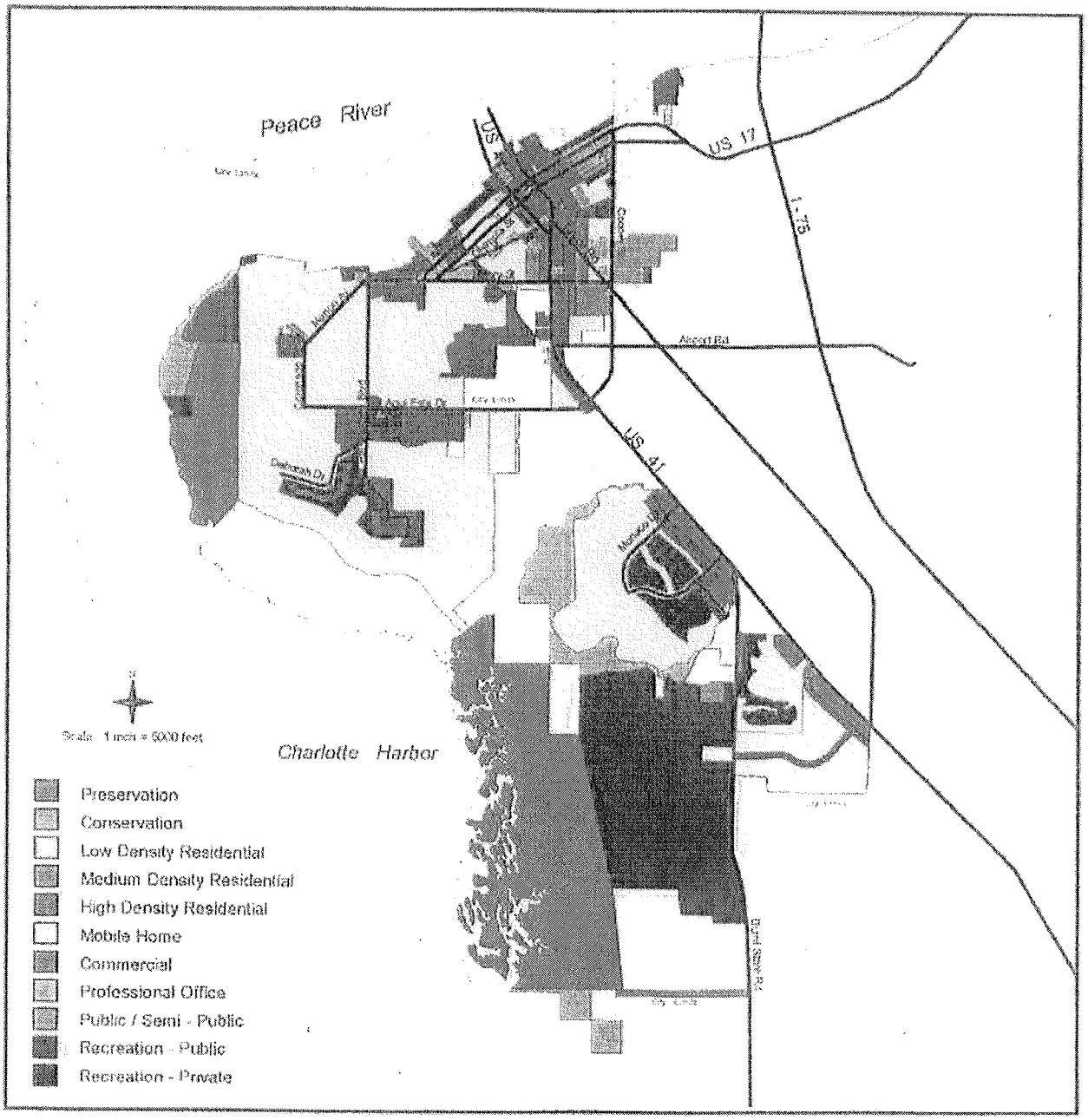


Scale 1" = 4800 Feet

Source: City of Punta Gorda Planning and Zoning Department
Draft Date 10/18/96

This map is generalized in nature and is appropriate for planning purposes only.

Punta Gorda Future Land Use Map (FLUM) 2015



NOTE: see Punta Gorda FLUM 2015 Section Sheets 1-5 for area details

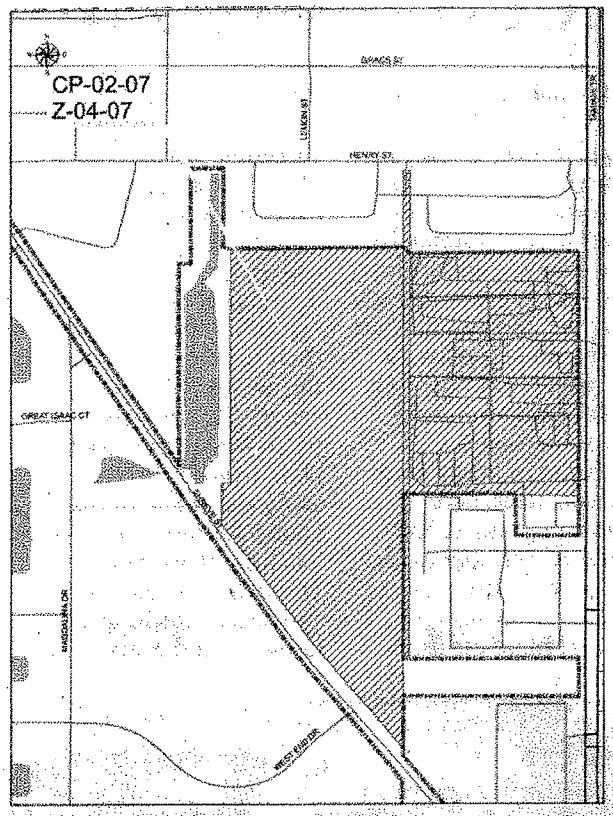
Source: City of Punta Gorda Community Development Department
This map is generalized in nature and should be used for planning purposes only.

Notice of Public Hearing
REVISED

YOU ARE HEREBY notified that the Punta Gorda Planning Commission will hold a Public Hearing on **Thursday, December 20, 2007** at 2:00 PM and City Council will hold a Public Hearing on **Wednesday, January 16, 2008** at 9:00 AM or as soon thereafter as may be heard to consider the following request:

Z-04-07 AN ORDINANCE OF THE CITY OF PUNTA GORDA, FLORIDA, REZONING FROM COMMERCIAL INTENSIVE/ COUNTY (CI/COUNTY) TO HIGHWAY COMMERCIAL/CITY (HC/CITY) ON PROPERTY DESCRIBED AS PARCEL NOS. 0071936-000000-0, 0071937-000000-9, 0071939-000000-7, 0071940-000000-4 AND, ALSO KNOWN AS, 1603, 1605, 1801, 1825, AND 1901 TAMIAMI TRAIL AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED TO THE ORDINANCE AND FROM PLANNED DEVELOPMENT/ COUNTY (PD/COUNTY) TO HIGHWAY COMMERCIAL/CITY (HC/CITY); ON PROPERTY DESCRIBED AS PARCEL NOS. 0071944-000000-0 AND 0071943-000000-1 AND, ALSO KNOWN AS 24136 SHREVE ST MORE PARTICULARLY DESCRIBED ON EXHIBIT "B"ATTACHED TO THE ORDINANCE AND FROM COMMERCIAL GENERAL/COUNTY (CG/COUNTY) TO HIGHWAY COMMERCIAL/CITY (HC/CITY); ON PROPERTY DESCRIBED AS PARCEL 0071936-000100-9 AND, ALSO KNOWN AS 1621, 1725 TAMIAMI TRAIL AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "C" ATTACHED TO THE ORDINANCE; ALL PROPERTIES COLLECTIVELY KNOWN AS "PALM AUTOMOTIVE" AND GENERALLY BOUND TO THE NORTH BY WEST HENRY STREET, TO THE EAST BY TAMIAMI TRAIL, AND TO THE WEST BY SHREVE STREET; PROVIDING FOR CONFLICT AND SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

CP-02-07 AN ORDINANCE OF THE CITY OF PUNTA GORDA, FLORIDA, AMENDING THE CITY OF PUNTA GORDA COMPREHENSIVE PLAN FUTURE LAND USE MAP CHANGING THE CURRENT DESIGNATION FROM COMMERCIAL CORRIDOR/COUNTY (CC/COUNTY) TO HIGHWAY COMMERCIAL/CITY (HC/CITY) ON PROPERTY DESCRIBED AS PARCEL NOS. 0071944-000000-0, 0071936-000000-0, 0071936-000100-9, 0071937-000000-9, 0071939-000000-7, AND 0071940-000000-4, ALSO KNOWN AS 1603, 1605, 1621, 1725, 1801, 1825 AND 1901 TAMIAMI TRAIL AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED TO THE ORDINANCE AND FROM HIGH DENSITY RESIDENTIAL/COUNTY (HDR/COUNTY) TO HIGHWAY COMMERCIAL/CITY (HC/CITY) ON PROPERTY DESCRIBED AS PARCEL NO. 0071943-000000-1, ALSO KNOWN AS 24136 SHREVE STREET AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "B"ATTACHED TO THE ORDINANCE, ALL PROPERTIES COLLECTIVELY KNOWN AS "PALM AUTOMOTIVE"AND GENERALLY BOUND TO THE NORTH BY WEST HENRY STREET, TO THE EAST BY TAMIAMI TRAIL, AND TO THE WEST BY SHREVE STREET; PROVIDING FOR CONFLICT AND SEVERABILITY



Complete legal description by metes and bounds and the ordinance can be obtained from the office of the City Clerk.

Said hearing will be held in City Council Chambers at 326 West Marion Avenue. Any persons desiring to be heard on this matter may appear at the above time and place.

NOTE: If an appeal is to be made of any decision made at this meeting, a verbatim record of the proceeding may be required.

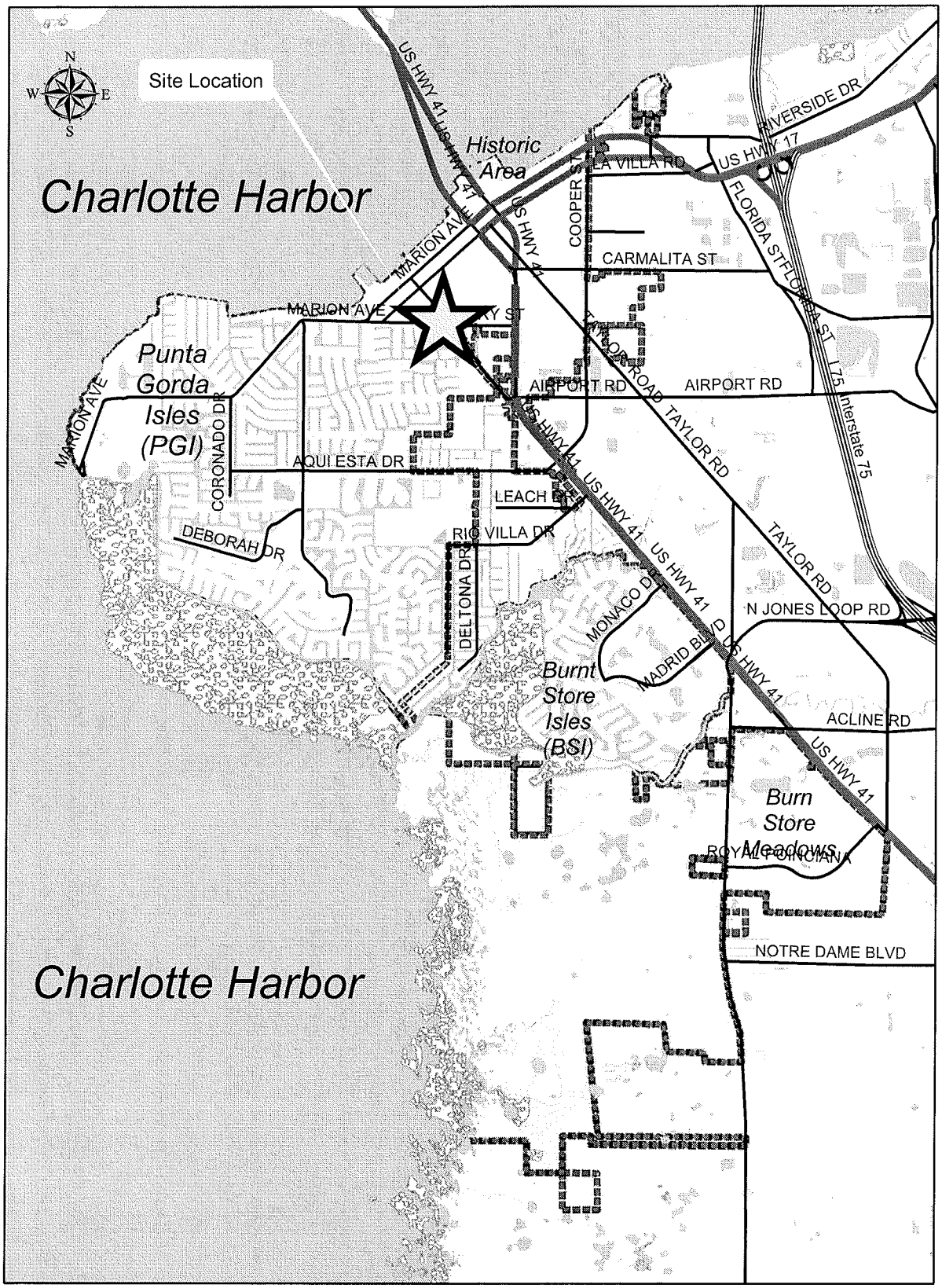
A copy of this notice is available for inspection at the Office of the City Clerk at the above address.

In accordance with the Americans with Disabilities Act and Florida Statute 286.26, special accommodations may be made by contacting the Office of the City Clerk at (941) 575-3369.

SUE FOSTER
CITY CLERK
CITY OF PUNTA GORDA

Published: Thursday, December 6, Friday, December 14, 2007

CP-02-08 & Z-02-08



This map is a representation of compiled public information.
It is believed to be an accurate and true depiction for the stated purpose, but the City of Punta Gorda and its employees make no guaranties, implied or otherwise to the accuracy or completeness.
We therefore do not accept any responsibilities as to its use.
This is not a survey or is it to be used for design.
No part of this map may be reproduced or transmitted by any means without the expressed written permission of the City of Punta Gorda G.I.S.
P.G.G.I.S. maintains a record regarding the methods used to produce this map and they can be furnished upon request.

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Using data from Charlotte County G.I.S. Department

_____Agenda
_____Item

3f

City of Cape Coral

Comprehensive Plan

Amendments (DCA 08-1)

3f

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
CITY OF CAPE CORAL

The Council staff has reviewed proposed amendments to the City of Cape Coral Comprehensive Plan (DCA 08-1). This amendment was developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps are found in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

Proposed Amendment	Factors of Regional Significance			
	Location	Magnitude	Character	Consistent
LU 07-01000004 (Ord. 8-08)	no	no	no	(1) not regionally significant (2) consistent with SRPP
LU 07-01000012 (Ord. 7-08)	no	no	no	(1) not regionally significant (2) consistent with SRPP
LU 07-01000013 (Ord. 9-08)	no	no	no	(1) not regionally significant (2) consistent with SRPP

LU 07-01000019 (Ord. 10-08)	no	no	no	(1) not regionally significant (2) consistent with SRPP
LU 07-01000024 (Ord. 18-08)	no	no	no	(1) not regionally significant (2) consistent with SRPP
LU 07-01000028 (Ord. 19-08)	no	no	no	(1) not regionally significant (2) consistent with SRPP
LU 07-010000032 (Ord. 11-08)	no	no	no	(1) procedural (2) not regionally significant (3) consistent with SRPP
TXT 08-01300001 TXT 08-01300002 TXT 08-01300003 (Ord. 14-08)	no	no	yes	(1) procedural (2) regionally significant (3) consistent with SRPP
TXT 08-01000004 (Ord. 33-08)	no	no	no	(1) not regionally significant (2) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and City of Cape Coral.

4/08

Attachment I

LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
   A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e.g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:
Charlotte County, Punta Gorda
Collier County, Everglades City, Marco Island, Naples
Glades County, Moore Haven
Hendry County, Clewiston, LaBelle
Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I

Comprehensive Plan Amendments

A local government may amend its plan twice a year. (Amendments related to developments of regional impact, certain small developments, compliance agreements, and the Job Siting Act are not restricted by this limitation.) Six copies of the amendment are sent to the Department of Community Affairs for review. A copy is also sent to the regional planning council, the water management district, the Florida Department of Transportation, and the Florida Department of Environmental Protection.
[s. 163.3184(3)(a)]

The proposed amendment will be reviewed by DCA in two situations. In the first, there must be a written request to DCA. The request for review must be received within forty-five days after transmittal of the proposed amendment. [s. 163.3184(6)(a)] Review can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DCA can decide to review the proposed amendment without a request. In that case, DCA must give notice within thirty days of transmittal.
[(s. 163.3184(6)(b)]

Within five working days after deciding to conduct a review, DCA must forward copies to various reviewing agencies, including the regional planning council. [s. 163.3184(4)]

Regional Planning Council Review

The regional planning council must submit its comments in writing within thirty days of receipt of the proposed amendment from DCA. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the regional planning council must be limited to "effects on regional resources or facilities identified in the strategic regional policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government."
[s. 163.3184(5)]

After receipt of comments from the regional planning council and other reviewing agencies, DCA has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DCA transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) AND THE RULE (9J-11, FAC) FOR DETAILS.

Attachment II

SWFRPC COMMENTS
City of Cape Coral Comprehensive Plan Amendments

Proposed Amendment LU 07-01000004 (Ord. 8-08)

This privately initiated Future Land Use Map (FLUM) amendment requests a change the current land use designation from Commercial/Professional (CP) to Multi-Family Residential (MF) on a 0.24 acres site. The lite is located on Santa Barbara Place.

The applicant desires to build a multi-family project on the property and the existing land use designation does not allow such a use. The applicant has pointed out that there are several such developments in the area and obtaining adjacent property to increase the square footage to provide for a commercial development is not feasible since the surrounding properties are already developed. The current size of the site is relatively small, which makes the proper development of the property problematic.

Regional Significance and Consistency

Because the City's Multi-Family Residential land use designation has a maximum density of sixteen (16) dwelling units per acre, the proposed amendment was determined by City staff to be a large scale amendment. This determination is due to State law that states any requested amendment with a residential density greater than ten (10) dwelling units per acre in an area not designated in the Comprehensive Plan as "urban infill, urban redevelopment, downtown revitalization, concurrency exception area, regional activity center or central business district" cannot be referred to as a small-scale FLUM amendment. As a result this request is being processed as a large scale amendment.

The surrounding neighborhood is fully developed as a multi-family neighborhood to the south and east, while properties to the west are composed of single-family detached housing. A convenience store is located directly north and adjacent to the subject site. The proposed development would not lower property values and seems to be a transitional land use. Infrastructure is available and has adequate capacity. The intended use of the property is that of multi-family residential duplex. The City's Comprehensive Plan encourages a variety of housing types and opportunities to the citizens of the City. As presented, the proposed development has minimal impacts on the general welfare of the community.

Due to the minimal size of the subject property, its location in the within the City and the nature of the requested amendment, Council staff finds that the proposed amendment is not regionally significant. The proposed amendment is found by Council staff to be consistent with the following Goal, Strategy and Actions of the Strategic Regional Policy Plan, July 4, 2002:

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Action 2: Work with local government to promote structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.

Proposed Amendment LU 07-01000012 (Ord. 7-08)

This requested change is a privately initiated FLUM amendment from Single-Family Residential (SF) to Multi-Family Residential on 0.3 acres. The subject property is located on Manor Ct. The applicant desires to build multi-family dwelling units on the site.

The applicant desires to build a multi-family project on the property and the existing land use designation does not allow such a use. Properties to the east and north of the property are developed as multi-family residences and properties to the west and south are developed as single-family residences.

The applicant has pointed out that there are several such developments in the area. The applicant has stated that he owns the existing multi-family unit locate directly north and adjacent to the subject site. The current size of the site is relatively small, which makes the proper development of the property problematic.

Because the City's Multi-Family Residential land use designation has a maximum density of sixteen (16) dwelling units per acre, the proposed amendment was determined by City staff to be a large scale amendment. This determination is due to State law that states any requested amendment with a residential density greater than ten (10) dwelling units per acre in an area not designated in the Comprehensive Plan as "urban infill, urban redevelopment, downtown revitalization, concurrency exception area, regional activity center or central business district" cannot be referred to as a small-scale FLUM amendment. In addition, due to the fact that the applicant on the subject site and the adjacent site to the north, there is a possibility that these two parcels could be combined and redeveloped. As a result this request is being processed as a large scale amendment.

Regional Significance and Consistency

The proposed development would not lower property values and seems to be a transitional land use. Infrastructure is available and has adequate capacity. The intended use of the property is that of multi-family residential duplex. The City's Comprehensive Plan encourages a variety of housing types and opportunities to the citizens of the City. As presented, the proposed development has minimal impacts on the general welfare of the community.

Council staff agrees with City staff that the subject property is adjacent to or across the street from existing multi-family residential development. The City has an overabundance of single-family residential properties and desires that the properties be assembled for multi-family development in the future.

Due to the small size of the subject property and the nature of the requested amendment, Council staff finds that the proposed amendment is not regionally significant and is consistent with the following Goal, Strategy and Actions of the Strategic Regional Policy Plan, July 4, 2002:

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Action 2: Work with local government to promote structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.

Proposed Amendment LU 07-01000013 (Ord. 9-08)

This privately requested amendment asks for a land use change from Single-family Residential (SF) to Multi-family Residential (MF). The entire tract contains 0.28 acres and is located on Manor Ct. Properties to the east and north are currently developed as multi-family residences while the properties to the west and south are developed as single-family development. The applicant desires to develop multi-family housing.

Because the City's Multi-Family Residential land use designation has a maximum density of sixteen (16) dwelling units per acre, the proposed amendment was determined by City staff to be a large scale amendment. This determination is due to State law that states any requested amendment with a residential density greater than ten (10) dwelling units per acre in an area not

designated in the Comprehensive Plan as "urban infill, urban redevelopment, downtown revitalization, concurrency exception area, regional activity center or central business district" cannot be referred to as a small-scale FLUM amendment. In addition, due to the fact that the applicant on the subject site and the adjacent site to the north, there is a possibility that these two parcels could be combined and redeveloped. As a result this request is being processed as a large scale amendment.

Regional Significance and Consistency

The proposed development would not lower property values and seems to be a transitional land use. Infrastructure is available and has adequate capacity. The intended use of the property is that of multi-family residential duplex. The City's Comprehensive Plan encourages a variety of housing types and opportunities to the citizens of the City. As presented, the proposed development has minimal impacts on the general welfare of the community.

According to the City staff report, the City is in need of multi-family residential properties, as most of the housing stock within the City is detached single-family residential dwelling units. A mixture of housing stock within the City is the mark of a healthy community.

Due to the size of the subject property of the requested amendment, Council staff finds that the proposed amendment is not regionally significant. In addition, the proposed amendment is found by Council staff to be consistent with the following Goals, Strategies and Actions of the Strategic Regional Policy Plan, July 4, 2002:

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

<u>Proposed Amendment LU 07-01000019 (Ord. 10-08)</u>

This privately requested amendment proposes to change the FLUM from Single-Family Residential (SF) to Multi-Family Residential (MF). The subject property is located SW 20th Avenue and contains approximately 3.40 acres.

Regional Significance and Consistency

The applicant desires to develop 54 multi-family residential units on the subject site. The site could not be developed with multi-family uses under the current future land use designation and zoning district. If this amendment is adopted, it is likely that the subject development will include 2- or 3-story structures, rather than 1-story structures that currently surround the site. This fact could raise concerns over compatibility issues with the surrounding neighborhood. However, such concerns may be overcome by adequate design features and landscaping.

Given that the subject property is currently zoned R-1B, a multi-family development would not be allowed. The applicant will be required (if the future land use amendment requested is approved) to rezone the subject property to a new zoning district that allows multi-family development. At the present time, the City is reviewing a Planned Development Project (PDP) application for the subject property. The PDP application is requesting approval for a 54-unit condominium complex with four (4) buildings, probably 3-stories each.

Utilities are not completely available to the property. A multi-family development as proposed by the applicant would be a relative gain to the community in that the surrounding land owners may be subject to utility assessments, connection fees, and related costs sooner than anticipated, and there could be an increase in demands in the area for more public infrastructure thereby improving the environmental quality of life surrounding the proposed development.

Since the subject site is a relatively large parcel, located along a major north-south roadway through the area; City staff believes that the land is suitable for multi-family development.

City staff has calculated that under the current land use designation only 15 single-family homes could be constructed and they would be without public utilities. Based on the City staff report, the proposed land use change would increase surrounding property values.

Due to the size of the subject property, Council staff finds that the proposed amendment is not regionally significant. Additionally, the proposed amendment is found by Council staff to be consistent with the following Goal, Strategy and Actions of the Strategic Regional Policy Plan, July 4, 2002:

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Action 2: Work with local government to promote structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.

Proposed Amendment LU 07-01000024 (Ord. 18-08)

This amendment is a privately initiated request is to change the land use on a 155.08 acre parcel. The proposed amendment will change the land uses on the FLUM from Public Facilities (PF) and Single-Family Residential (SF) and Multi-Family by PDP (SM) to Mixed Use (MX). The subject site is located on Santa Barbara Blvd, SE 13th Street and SE 2nd Avenue. The applicant desires for this amendment to create consistency among all the properties included in the request and to construct a mixed residential and commercial development on the subject property. The existing land use designations prevent the proposed use on the property. City staff has determined that the proposed development could include 44 single-family homesites, 68 multi-family units and 200,000 square feet of commercial. The commercial area could have an integrated residential element, but the exact number of units is unknown at this time.

As propose, the commercial portion of the development would be directly accessible from both Burnt Store Road on the north and Durden Parkway on the west. The residential portion of the proposed project would be located on the north and west shores of an existing lake on the property and would be accessible from Durden Parkway on the west and various local streets.

Regional Significance and Consistency

The subject site currently consists of a borrow pit (with recently revegetated areas on the north and east sides) and a brushy overgrown area to the southeast of the pit. If the borrow pit can be improved and utilized for a residential and commercial project like the one proposed, City staff believes that the property values in the area could be improved.

The surrounding residential areas are sparsely populated and generally zoned for residential land uses. Across Burnt Store Road to the north of the subject site are Lee County agriculture and preservation zoned lands. The proposed commercial center within this development is located along Burnt Store Road and a mile from the closest residential land uses. The residential portion of the development is on the north and west of the shores of the borrow pit and abuts residential areas. City staff found that the proposed project is compatible with the surrounding land uses.

At the present time, the area surrounding the subject site is poorly developed, lacks public utilities, and is insufficiently serviced by road infrastructure, with the exception of Burnt Store Road. The area this has somewhat of a rural character, even though it is not really rural in nature. The development of the proposed mixed use project will result in eventual road improvements to the area and may speed the extension of public utilities into this portion of the City. According

to the City staff, the end result of these activities is that the surrounding residential areas will begin to take on the look and feel of much of the rest of the City; that of an urbanized residential development. This situation could be considered deleterious by some of the area's existing residents and landowners that are otherwise attracted to the existing rural character of the area.

Care will have to be taken to ensure that the proposed development has minimal impacts on the wildlife on the subject area, with particular emphasis on the protection of the Lee County designated preservation areas located on the east side of Burnt Store Road. This can happen when new residents of adjacent developments associate the preserve areas with their development and become advocates for increased protection and local scrutiny of the resource.

Public utility extensions to this area of the City are not scheduled until 2016. If the applicant desires to develop the project before that time, he will need to reach an agreement with the City for early extension of public utilities or he will need to construct water and wastewater treatment facilities to serve the project as it is constructed.

Because the proposed development is below DRI thresholds for mixed use projects, Council staff finds that the proposed amendment is not regionally significant. In addition, the proposed amendment is found by Council staff to be consistent with the following Goal, Strategy and Action of the Strategic Regional Policy Plan, July 4, 2002:

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

<u>Proposed Amendment LU 07-01000028 (Ord. 19-08)</u>

This amendment was privately initiated and requests to change the FLUM designation from Multi-Family (MF) to Commercial Professional (CP). The subject properties are located on Santa Barbara Blvd and SE 13th Street. The area contains approximately 23.46 acres of land.

The applicants propose to change the land use designation on the entire property. The primary use of the site will continue to be the existing Assisted Living Facility. The facility also has ancillary uses; specifically a beauty salon, limited resident-only banking services, and some health care-related uses. The purpose of the propose amendment is to make the future land use of the subject properties consistent with adjacent CP-classified properties (owned by the applicants) located immediately south of the subject properties, along Santa Barbara Blvd. These adjacent

properties are to be utilized for expansion of the current Assisted Living Facility, as well as for commercial development. A portion of the proposed development could impact the southwest corner of the Santa Barbara Blvd.

Regional Significance and Consistency

According to City staff, the subject properties will not experience significant change from the existing land uses. In that sense, the proposed amendment is a bookkeeping change, which is required to insure consistency of future land use designations for all the properties owned by the applicants.

Due to the size of the subject property, the Council staff finds that the proposed amendment is not regionally significant and is procedural, in that it is coordinating the City's Comprehensive Plan Land Use Map (FLUM) with respect to the subject site. The proposed amendment is found by Council staff to be consistent with the following Goal, Strategy and Actions of the Strategic Regional Policy Plan, July 4, 2002:

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Action 2: Work with local government to promote structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.

<u>Proposed Amendment LU 07-01000032 (Ord. 11-08)</u>

This request is a privately initiated large-scale amendment changing the FLUM from Single-family (SF) to Commercial Professional (CP). The subject property is located on SW 8th Court, SW 8th Place, and SW 9th Avenue. The site contains approximately 12.51 acres of land.

Regional Significance and Consistency

The subject properties are located just south of the Home Depot home improvement store, which is located at the southwest corner of Skyline Blvd. and Veterans Memorial Parkway. The applicant owns 62 of the 108 lots identified in this request. The president of the company making the request owns an additional 25 lots on the site in his own name. Therefore, 87 of the

108 lots (81%) identified in the subject are under control of the applicant. The remaining 21 lots (in ten parcels) are owned by the other ten applicants. Of these remain 21 lots; eight are developed with single family residences. City staff has stated that the development proposed adequately provides for infrastructure to support the project and the City has a recognized need to redress the current residential-commercial tax base imbalance found in the City at the present time. Council staff supports the City staff's findings that the proposed change represents an appropriate location for commercial or professional development, given the fact that there is a great deal of commercial development located near the subject area.

Due to the size of the subject property, the Council staff finds that the proposed amendment is not regionally significant and is procedural, in that it is making a correction to the City's Comprehensive Plan Land Use Map (FLUM) with respect to the subject site. The proposed amendment is found by Council staff to be consistent with the following Goal, Strategy and Actions of the Strategic Regional Policy Plan, July 4, 2002:

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Action 2: Work with local government to promote structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.

Proposed Amendment TXT 08-01300001, TXT 08-01300002, TXT 08-01300003 (Ord. 14-08)

This proposed amendment is a City initiated text amendment establishing the Public School Facilities Element, and amending the Capital Improvements and Intergovernmental Coordination elements. These changes are based on the new State requirements to integrate the provision of schools into the local government's Comprehensive Plans.

Regional Significance and Consistency

Council staff has reviewed the proposed changes and supports the City's efforts to meet the State mandate to coordinate school planning with the comprehensive planning process. Because the proposed changes to the Comprehensive Plan are required for each local government in the State, the proposed amendment is found by Council staff to be procedural, regionally significant and

consistent with the following Goal, Strategy and Action of the Strategic Regional Policy Plan, July 4, 2002:

Economic Development

Economic Infrastructure

Goal 1: A well-maintained social, health, and educational infrastructure to support business and industry.

Strategy: Continually improve the educational system to produce an educated and trained work force.

Action 1: Use the economic advisory committees to assist in the exchange of information between the educational system and the business community about business needs.

Action 2: Use the economic advisory committees to advise educational institutions to increase upper division and graduate level studies through programs appropriate to regional needs.

Action 3: Review proposed development impacts on and opportunities to provide needed educational facilities and services.

Proposed Amendment TXT 08-01000004 (Ord. 33-08)

This City initiated Comprehensive Plan text amendment proposes to remove the Rural Lands future land use designation. The changes involve the deletion of Rural Lands text in the Data and Analysis and Goals, Objectives and Policies sections of the Future Land Use Element found in the City's Comprehensive Plan.

Regional Significance and Consistency

This proposed change would remove Policy 1.15.q, which pertains to the Rural Lands future land use designations from the City's Comprehensive Plan. Two other low-density residential future land use designations, the Low Density Residential I and II have been adopted in the City's Comprehensive Plan and are proposed to remain.

Given that agriculture uses in the city are viewed as a temporary use in terms of the City's ultimate development at build out, it was determined by the City decision-makers that maintaining a future land use designation for rural development was unwarranted. As the City approaches 50% of buildout, the time to look into maintaining lands for agriculture and rural uses, other than for preservation of environmentally sensitive areas, has ended, and the City should focus its energies on providing services and facilities for the City at buildout. No public

or private party has requested initiation of a future land use map amendment to amend their property to the designation since this classification was originally adopted. Due to these facts, the City staff and decision-makers have viewed the designation as unnecessary and thereby not needed in the Comprehensive Plan.

Subsequent to the adoption of the Rural Lands future land use designation, the City adopted an additional future land use designation known as "Mixed Use Preserve." This designation contains environmental and preservation standards that protect ecologically sensitive areas, and as a result, largely surpasses the pro-environmental focus of the Rural Lands classification by its incorporation of specific protective measures. The Mixed Use Preserve future land use designation also is designated to help provide opportunities for non-residential office and retail development. The need to do so is prescribed in Objective 3 and Policy 3.1 of the Economic Development Element and states that studies shall be done to insure land use development needs and intensities required. The City has undertaken such a study entitled, *Future Land Use Analysis: Commercial & Industrial Land Required for the City of Cape Coral at Buildout.* This study will provide a frame work for the need for future land uses in the City.

Council staff agrees with City staff that ranchette development in the City does not exist and further development of that type may be permitted within the City's Low Density Residential I and II land use designations. Council staff does not believe that a Rural Lands designation is needed in the City; therefore Council staff also finds the proposed text changes not to be regionally significant and consistent with the following Goal, Strategy and Action of the Strategic Regional Policy Plan, July 4, 2002:

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Conclusion

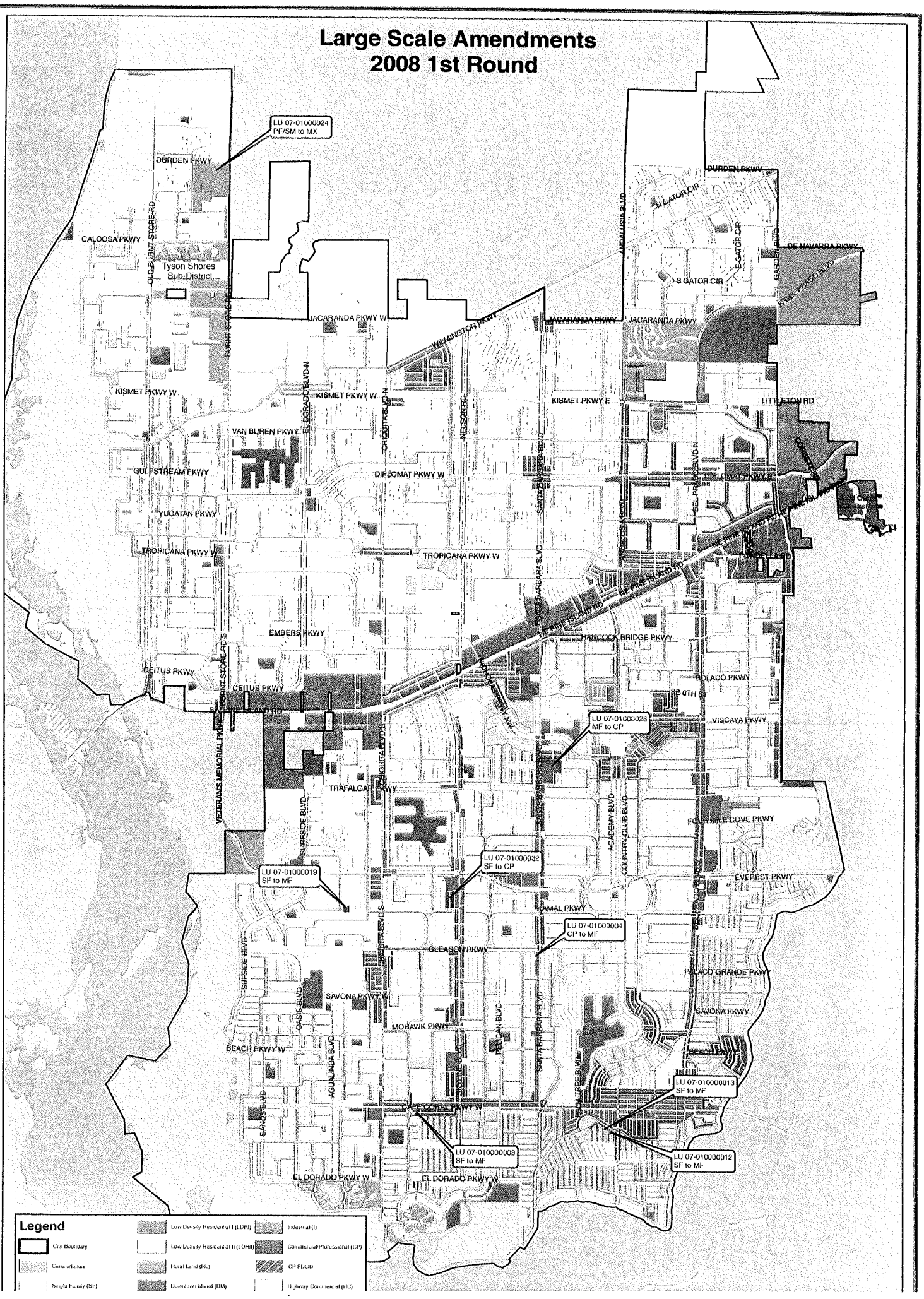
All but one of the proposed amendments were found by Council staff not to be regionally significant due to either the minimal size of the proposed parcels, the location within the City or the procedural nature of the requests. Council staff found that all the proposed amendments were consistent with the Strategic Regional Policy Plan.

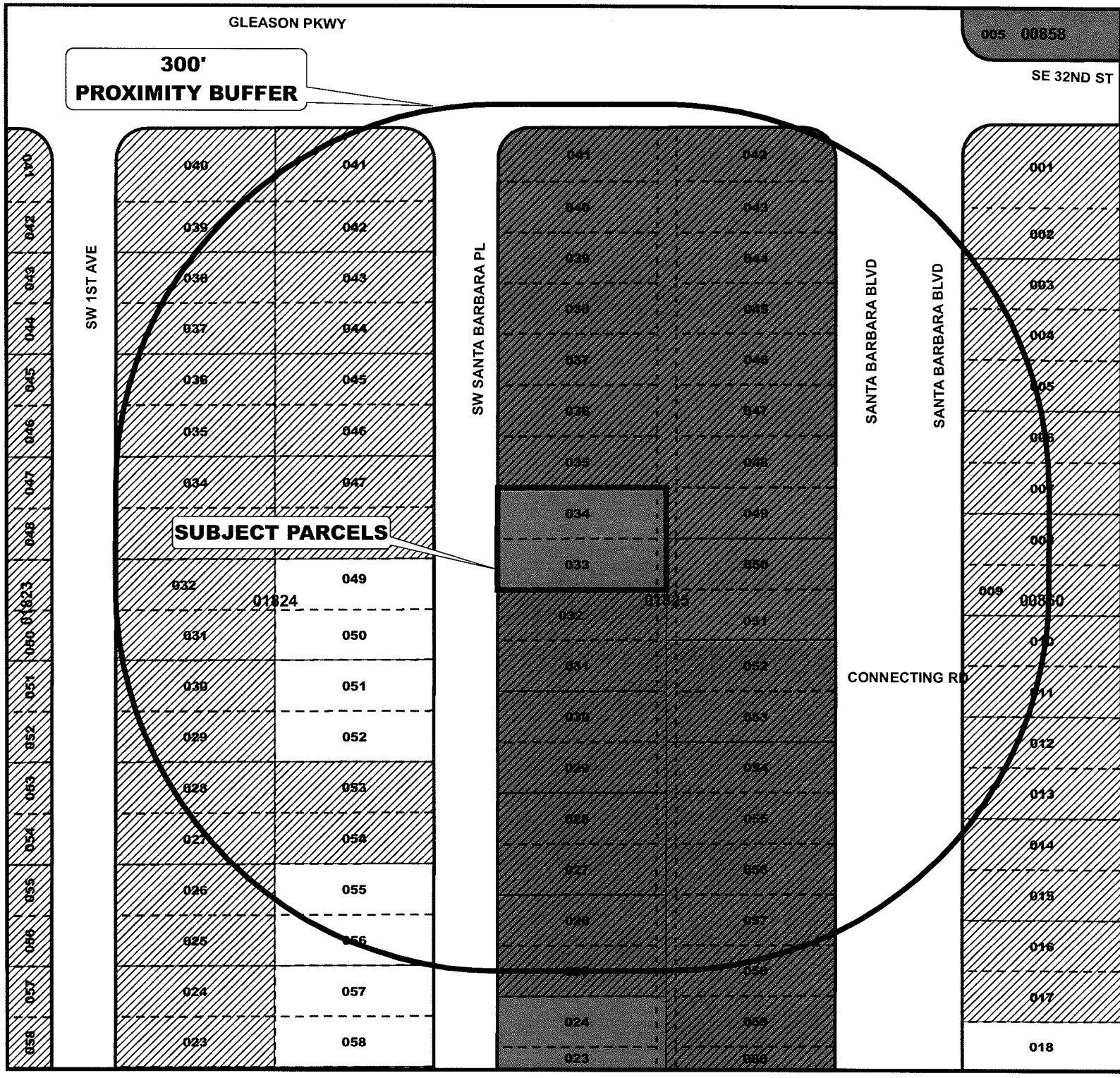
Attachment III

Maps

City of Cape Coral
DCA 08-1

Large Scale Amendments
2008 1st Round





CITY OF CAPE CORAL PLANNING DIVISION Property Owners Map

PROPOSED

Case No. LU 07-01000004
BLOCK 1825, LOTS 33-34

LEGEND

- Subject Parcel
- Canals/Lakes
- Improved Parcels
- Lee County Parcels

Future Land Use

- Single Family
- Single Family/Multi Family
- Multi-Family
- Low Density Residential I
- Low Density Residential II
- Rural Land
- Mixed Use
- Downtown Mixed
- Commercial Activity Center
- Pine Island Road District
- Commercial/Professional
- Flexible Development Overlay District
- Highway Commercial
- Industrial
- Public Facilities
- Park and Recreation Facilities
- Natural Resources/Preserve
- Sub-District

Cape Coral FLORIDA

April 30, 2007

Feet 0 40 80 120 160

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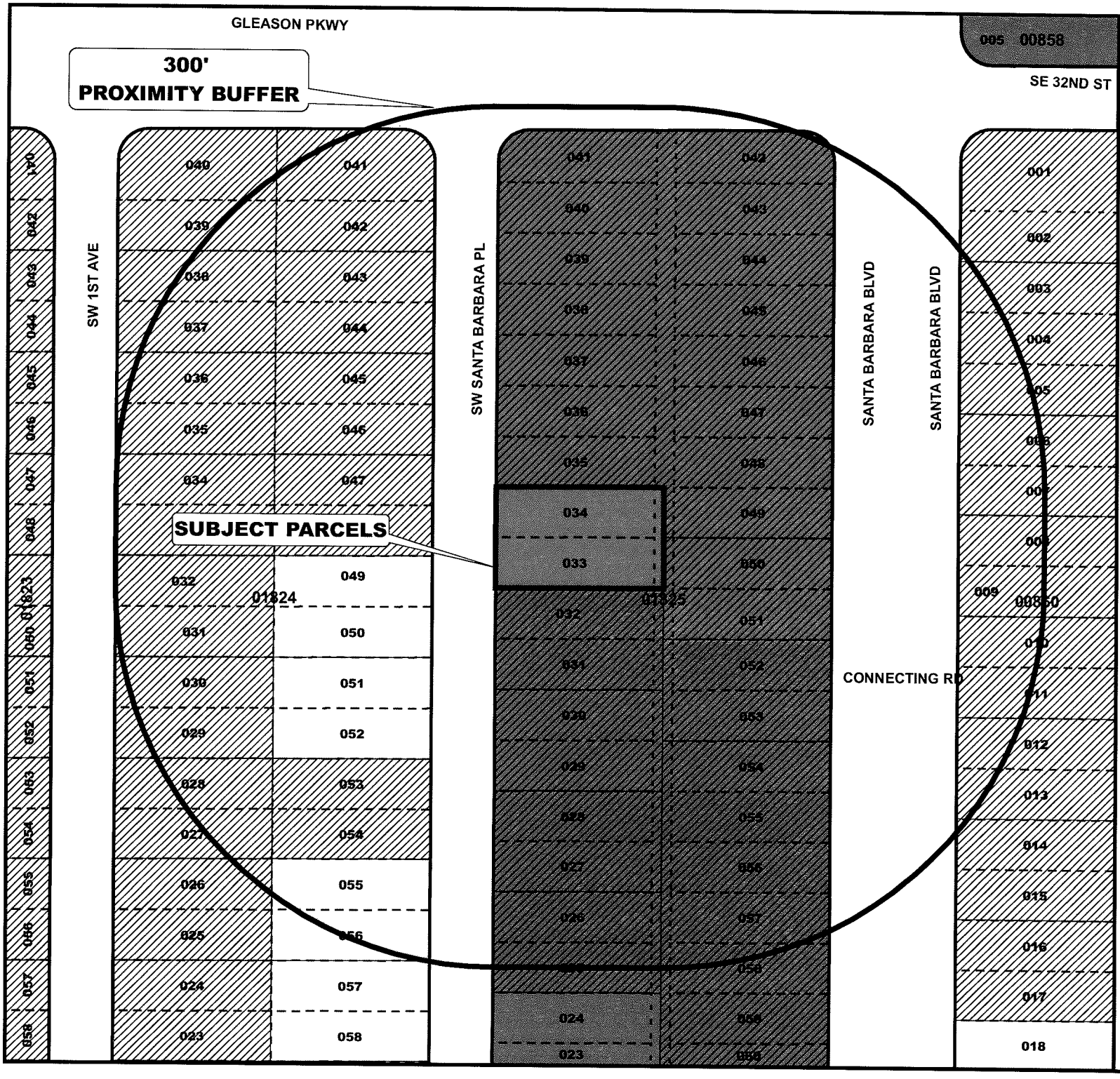

CITY OF CAPE CORAL PLANNING DIVISION Property Owners Map

Case No. LU 07-01000004
BLOCK 1825, LOTS 33-34

LEGEND

- Subject Parcel
- Canals/Lakes
- Improved Parcels
- Lee County Parcels

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Cape Coral FLORIDA

N W E S

April 30, 2007

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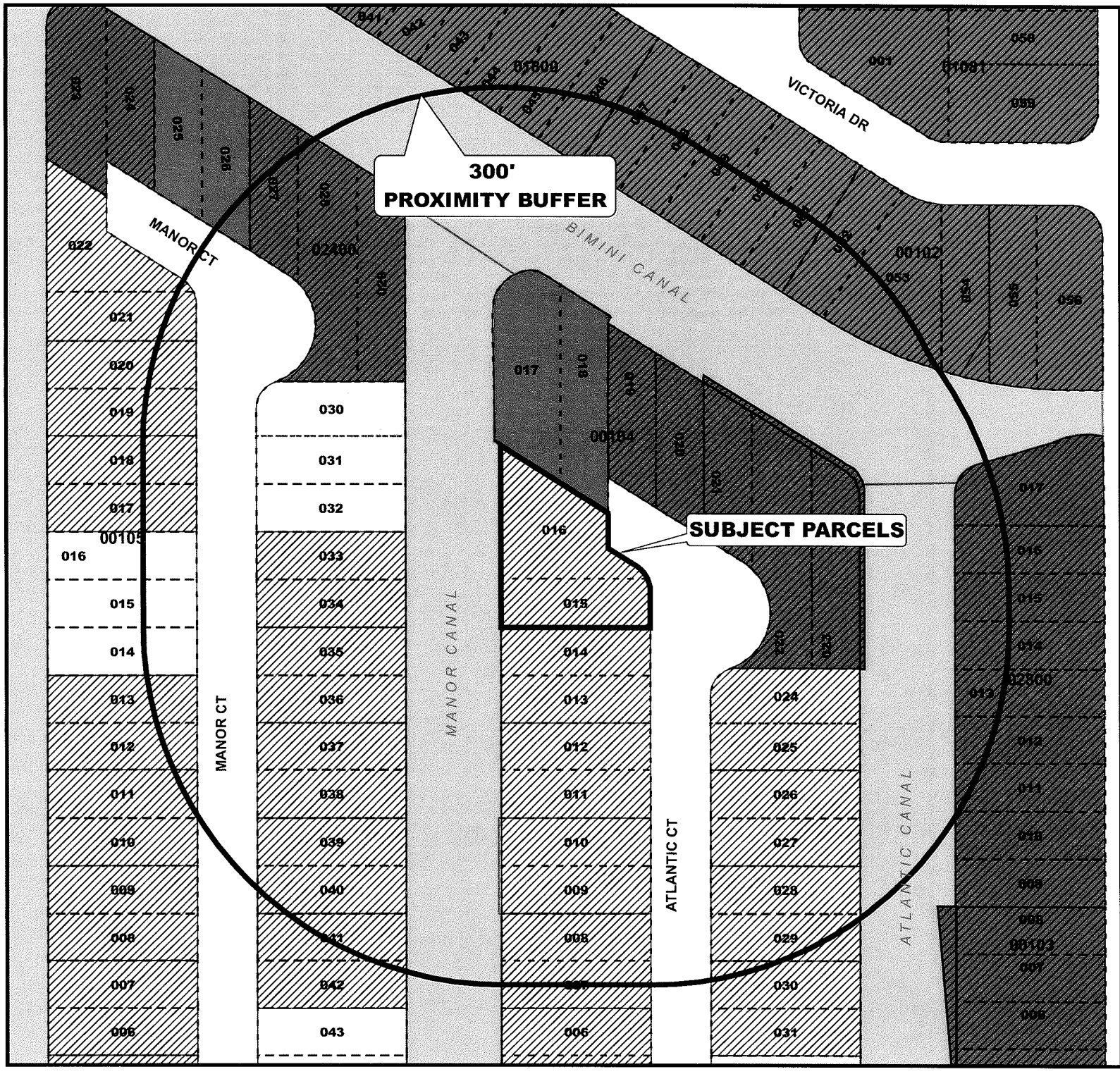

CITY OF CAPE CORAL
Information Technology Services (GIS)
300' Proximity Map

Case No. LU 07-01000012
BLOCK 104, LOTS 15-16

Legend

- Subject Parcel
- Canals/Lakes
- Improved Parcels

Future Land Use

- Single Family
- Single Family/Multi Family
- Multi-Family
- Low Density Residential I
- Low Density Residential II
- Rural Land
- Mixed Use
- Downtown Mixed
- Commercial Activity Center
- Pine Island Road District
- Commercial/Professional
- Flexible Development Overlay District
- Highway Commercial
- Industrial
- Public Facilities
- Park and Recreation Facilities
- Natural Resources/Preserve
- Sub-District

Cape Coral FLORIDA

N W E S

June 19,2007

Feet
0 40 80 120 160

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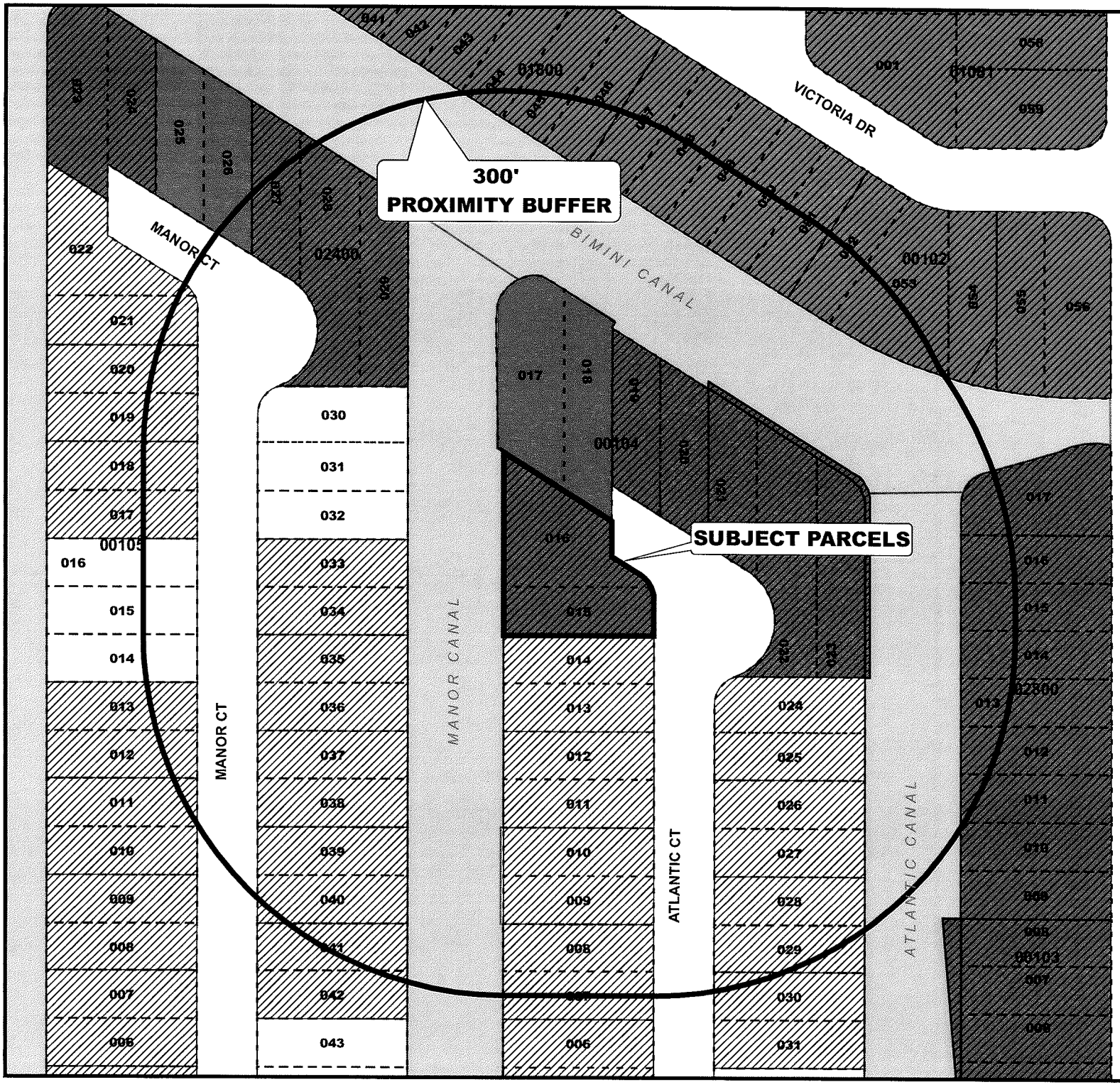

CITY OF CAPE CORAL
Information Technology Services (GIS)
300' Proximity Map
PROPOSED

Case No. LU 07-01000012
BLOCK 104, LOTS 15-16

Legend

- Subject Parcel
- Canals/Lakes
- Improved Parcels

Future Land Use

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Cape Coral FLORIDA

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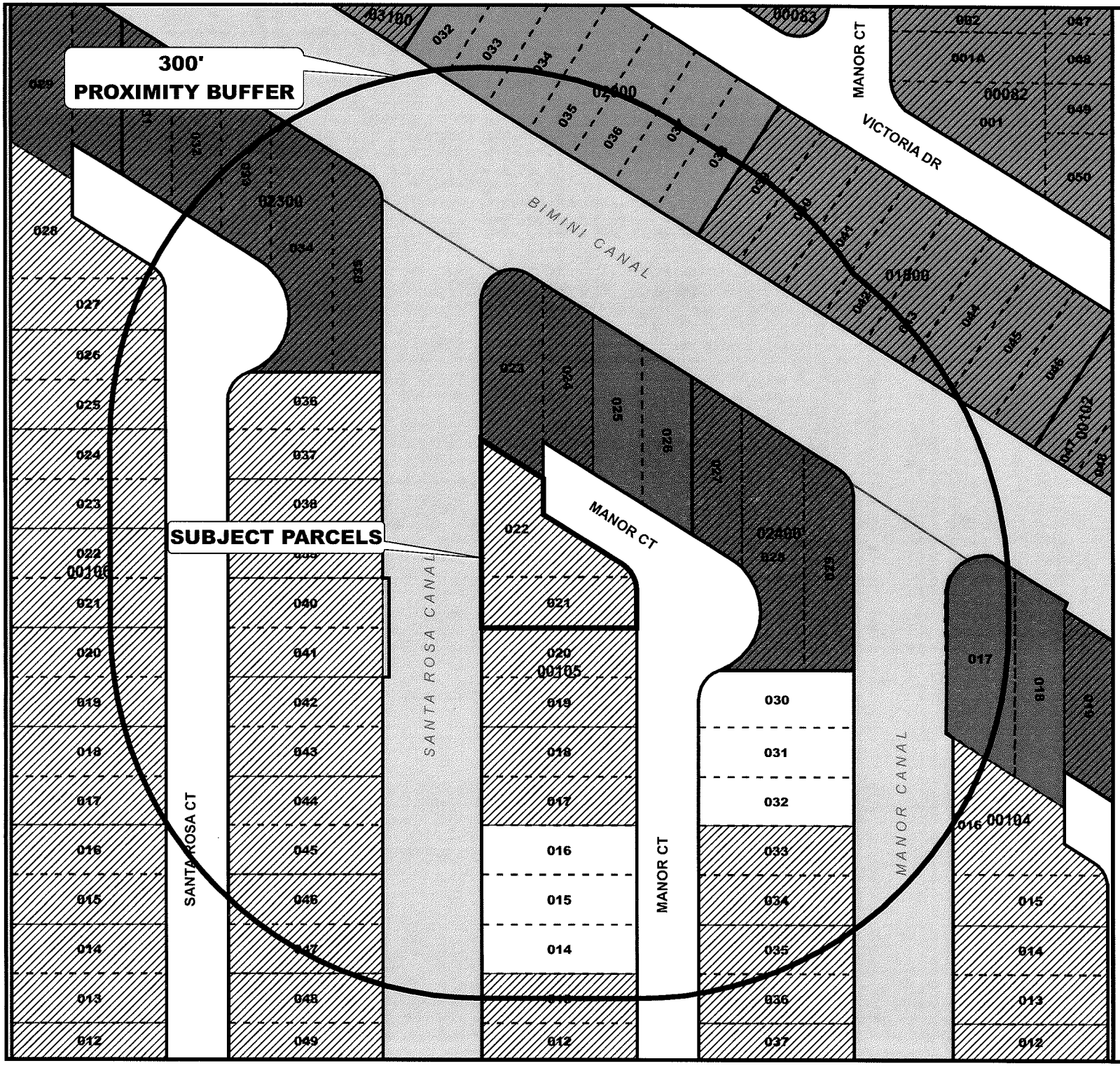

CITY OF CAPE CORAL PLANNING DIVISION Property Owners Map

Case No. LU 07-01000013
BLOCK 105, LOTS 21-22

LEGEND

- Subject Parcel
- Canals/Lakes
- Improved Parcels
- Lee County Parcels

Future Land Use

- Single Family
- Single Family/Multi Family
- Multi-Family
- Low Density Residential I
- Low Density Residential II
- Rural Land
- Mixed Use
- Downtown Mixed
- Commercial Activity Center
- Pine Island Road District
- Commercial/Professional
- Flexible Development Overlay District
- Highway Commercial
- Industrial
- Public Facilities
- Park and Recreation Facilities
- Natural Resources/Preserve
- Sub-District

Cape Coral FLORIDA

N W E S

December 17, 2007

Feet 0 40 80 120 160

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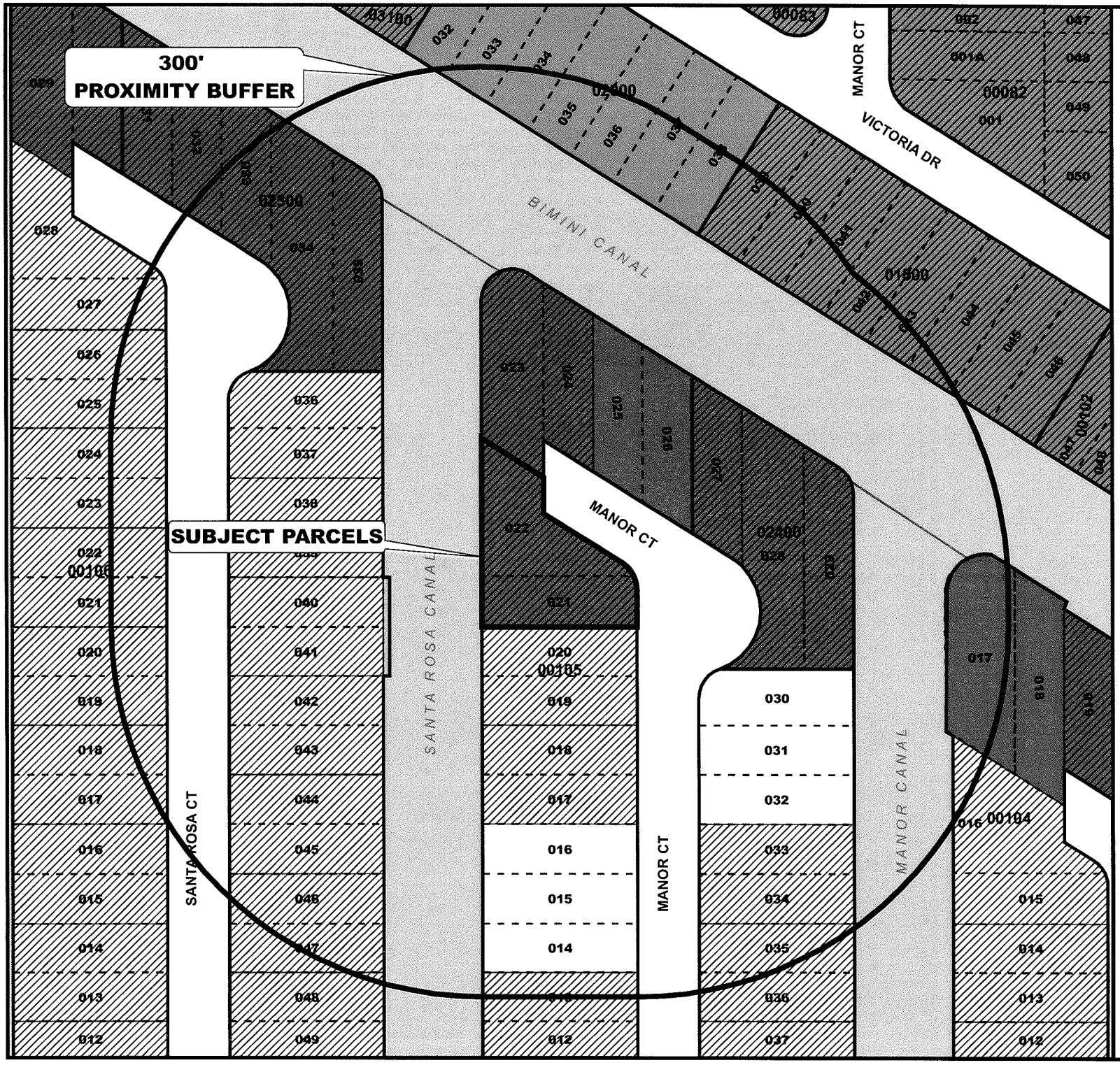

CITY OF CAPE CORAL
PLANNING DIVISION
Property Owners Map

Case No. LU 07-01000013
BLOCK 105, LOTS 21-22

LEGEND

- Subject Parcel
- Canals/Lakes
- Improved Parcels
- Lee County Parcels

PROPOSED

Future Land Use

- Single Family
- Single Family/Multi Family
- Multi-Family
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- Low Density Residential II
- Rural Land
- Mixed Use
- Downtown Mixed
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Cape Coral FLORIDA

N W E S

December 17, 2007

Feet 0 40 80 120 160

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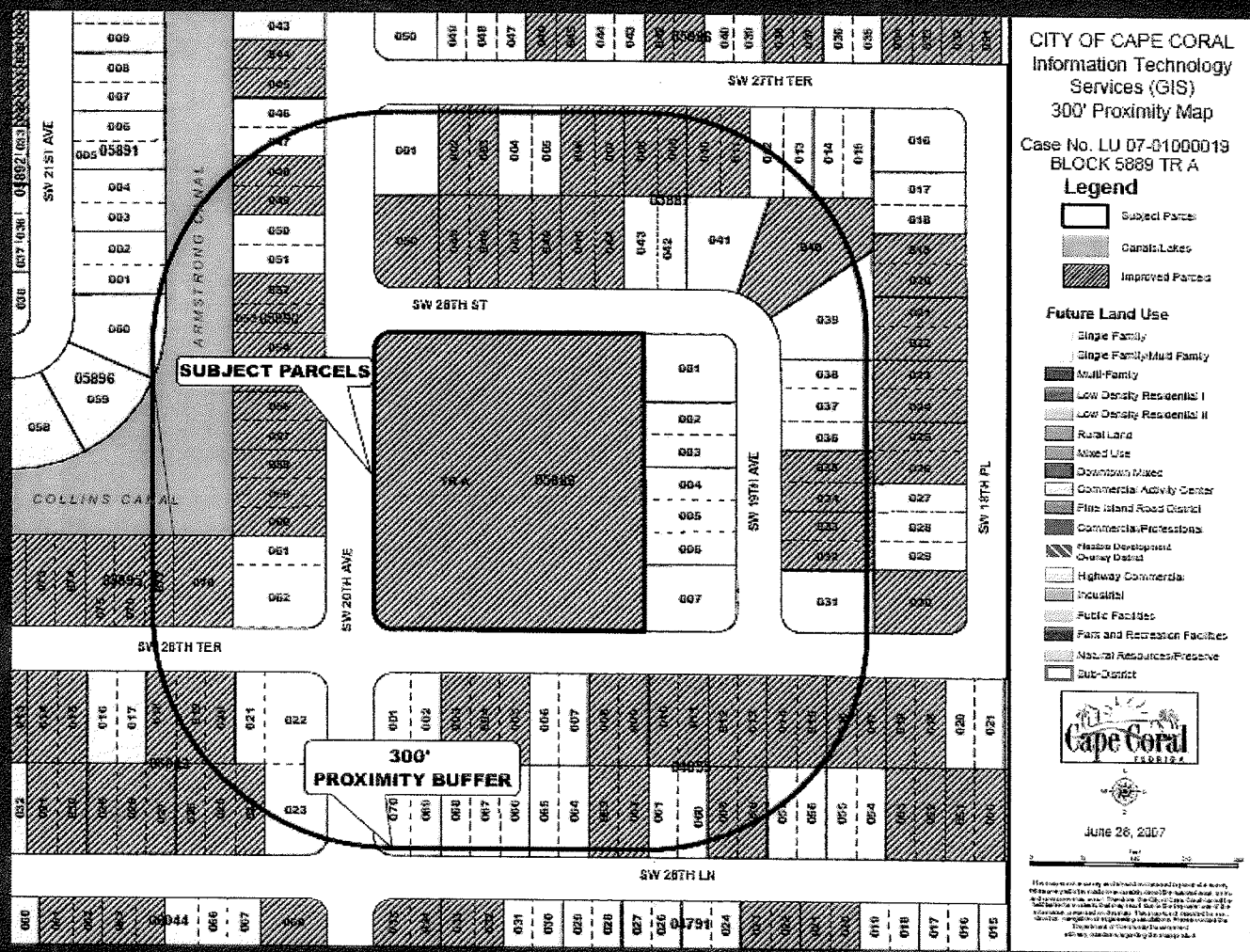
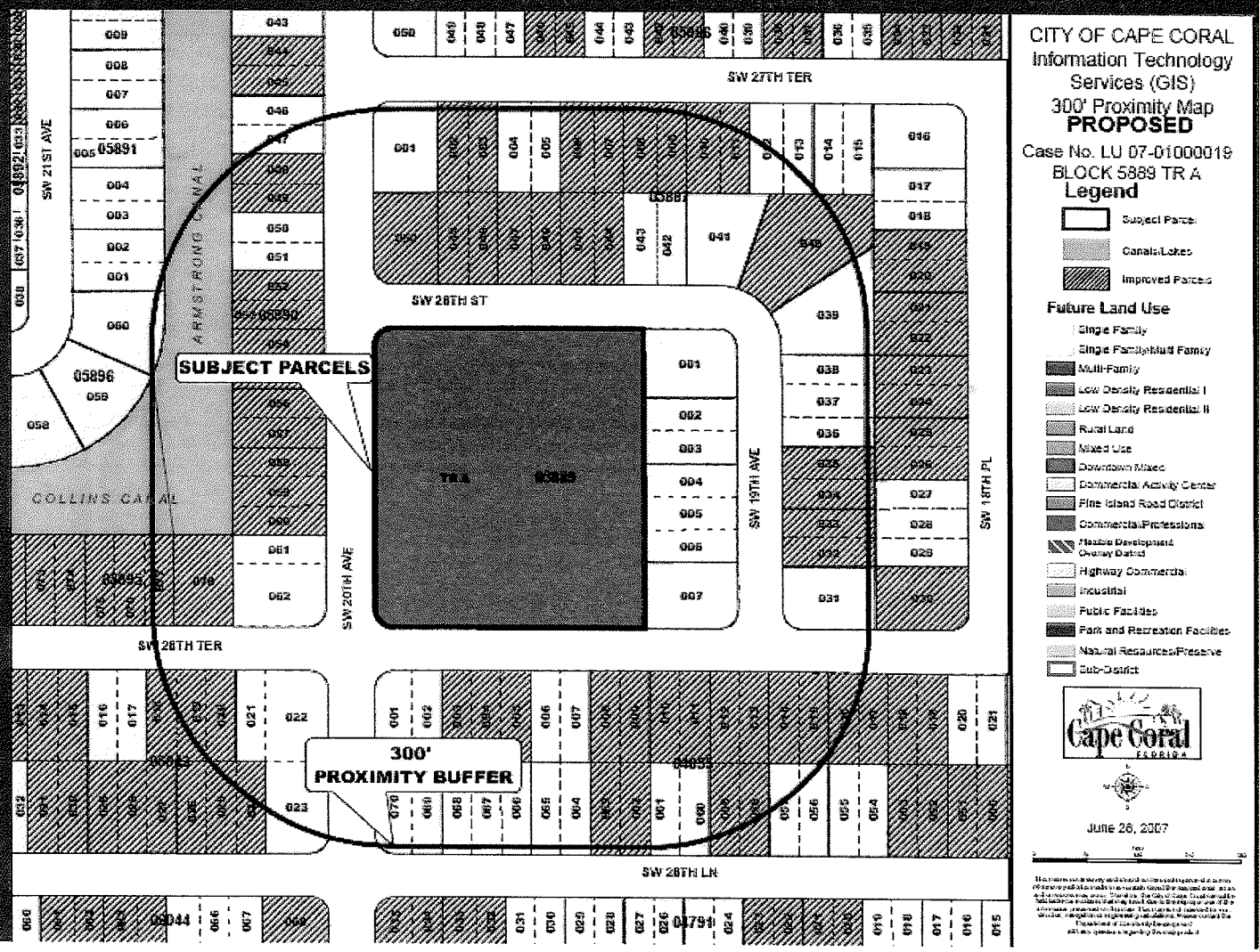
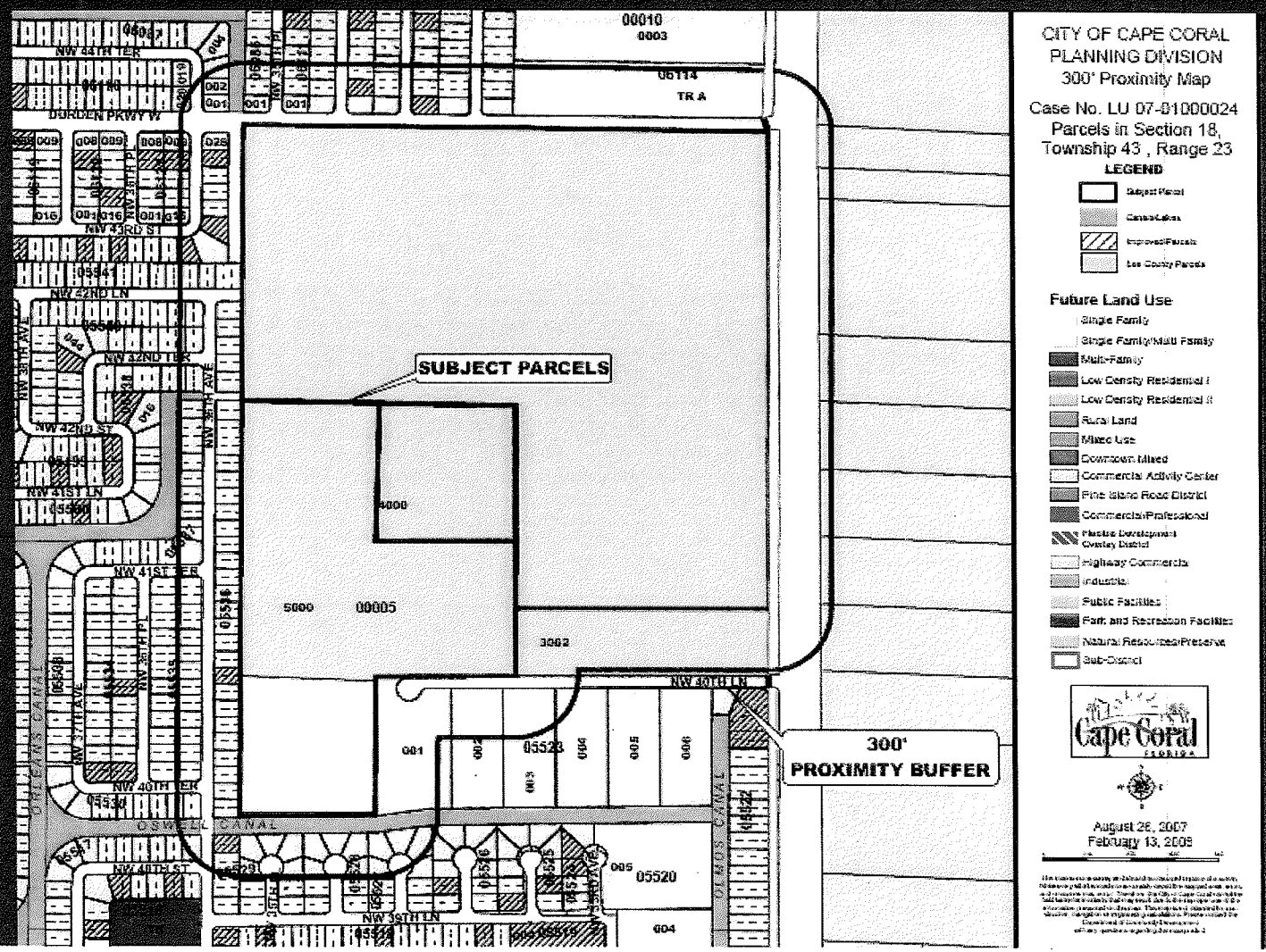
Current Future Land Use



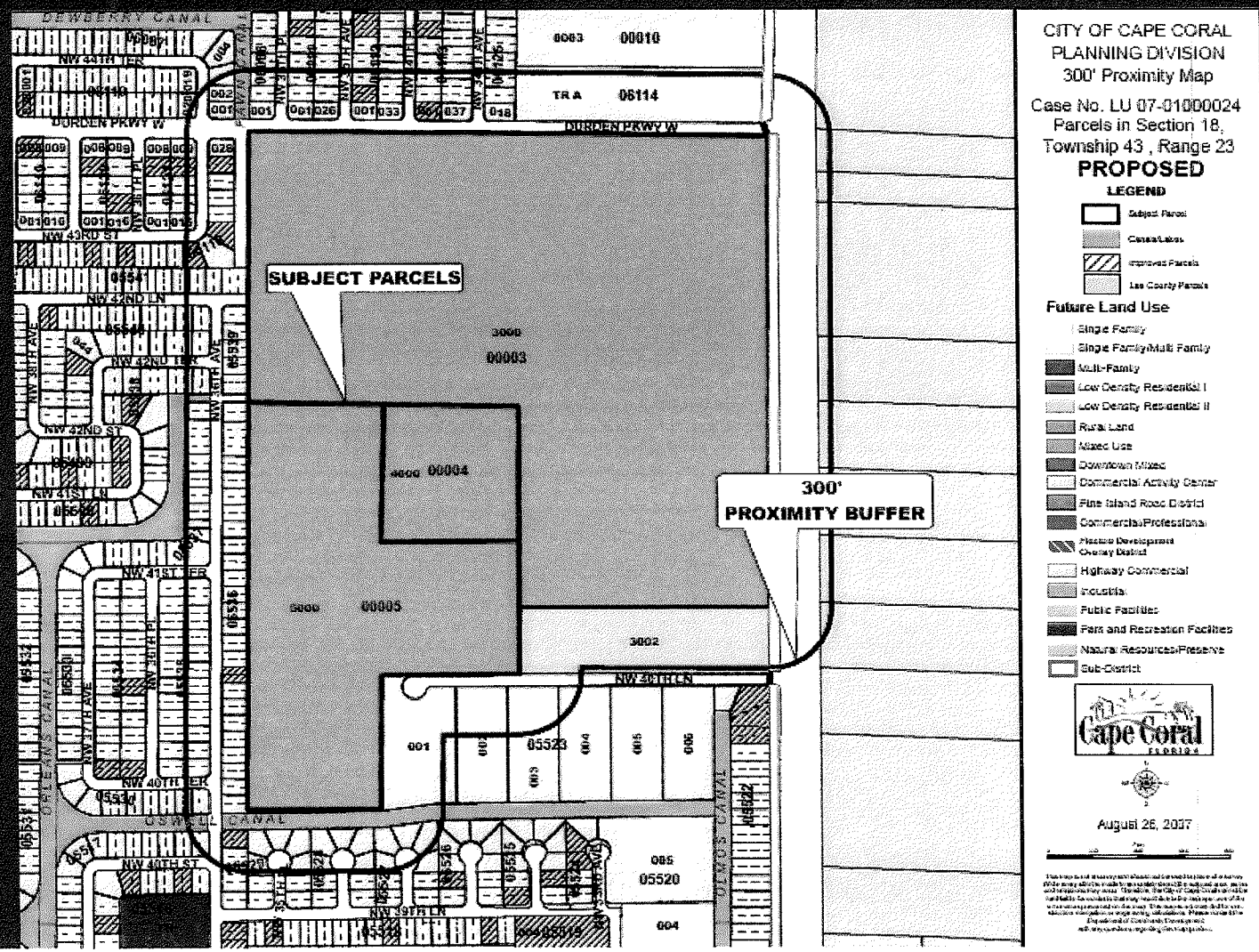
Proposed Future Land Use



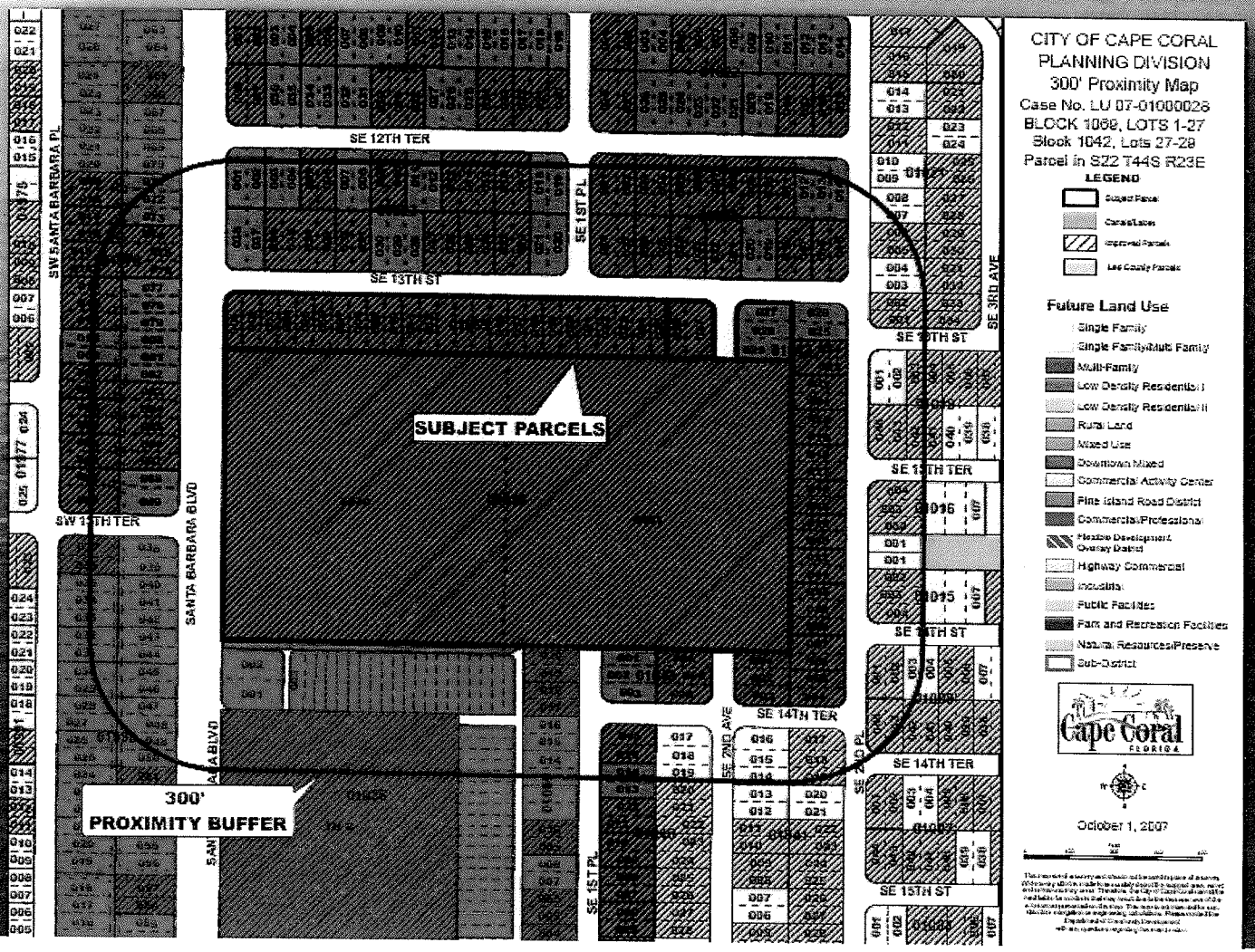
Existing Future Land Use



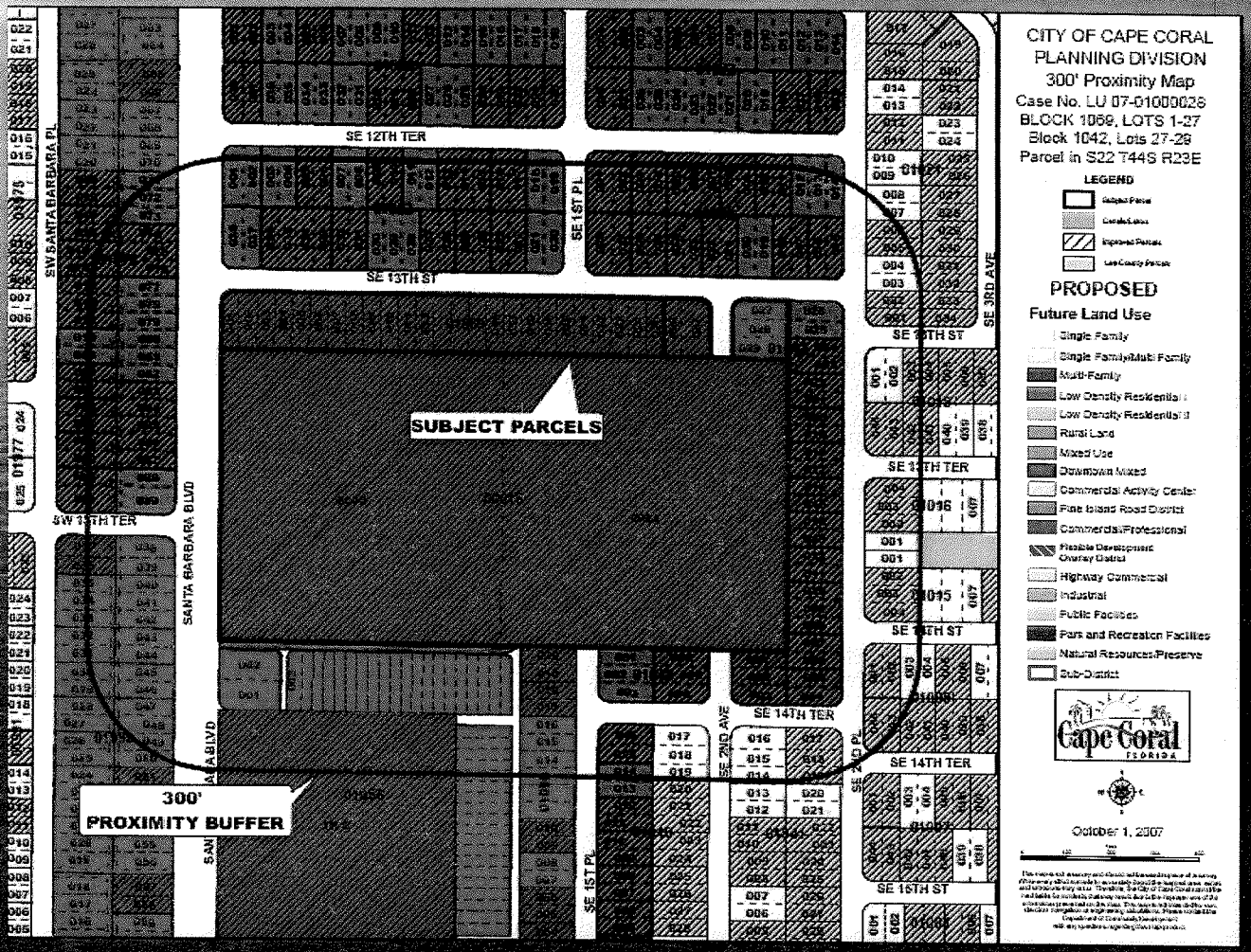
Proposed Future Land Use

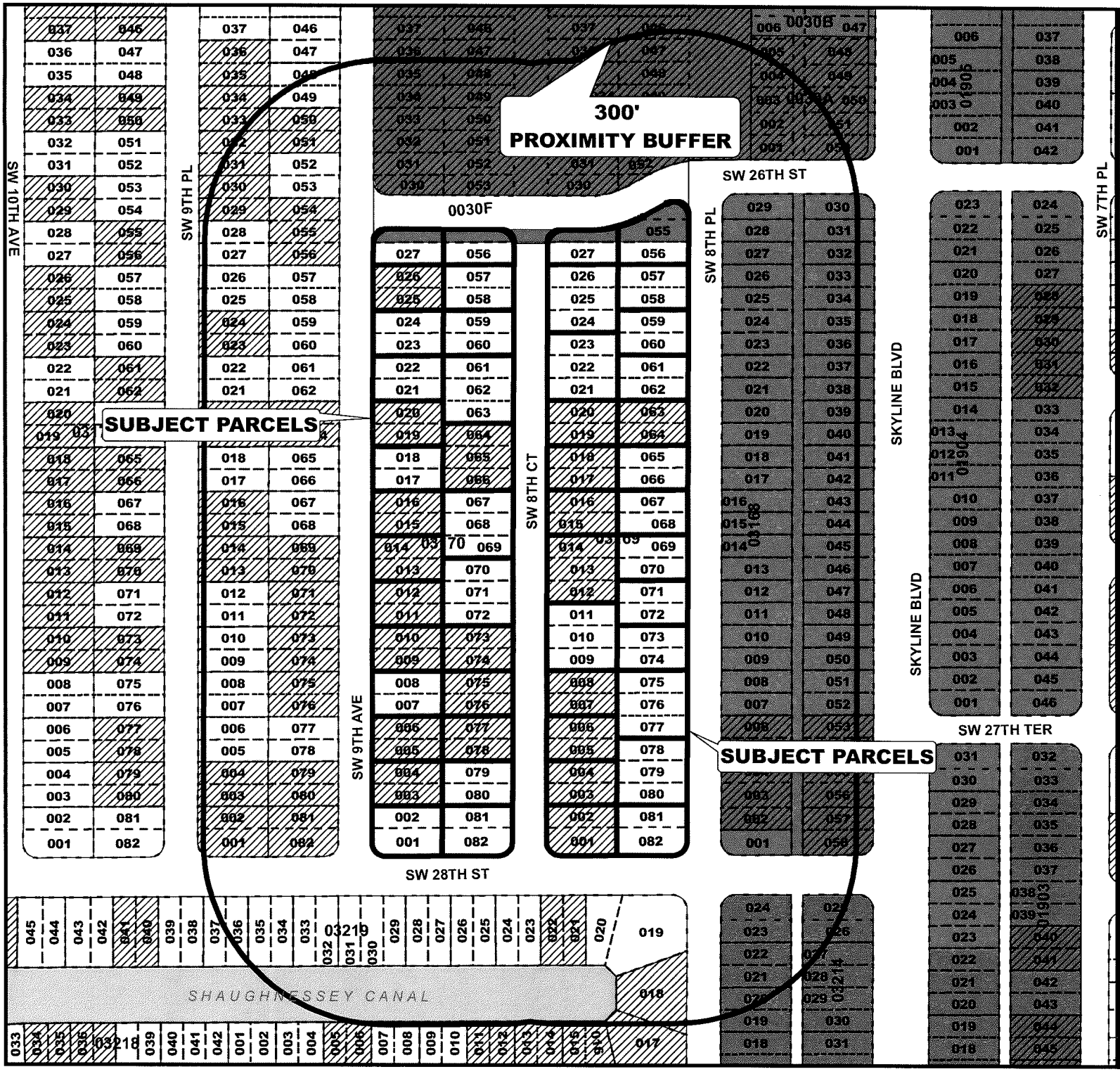


Proximity Map



Proposed Future Land Use





CITY OF CAPE CORAL
PLANNING DIVISION
300' Proximity Map

Case No. LU 07-01000032
BLOCK 3169, LOTS 1-82
BLOCK 3170, LOTS 1-82

LEGEND

- Subject Parcel
- Canals/Lakes
- Improved Parcels
- Lee County Parcels

Future Land Use

- Single Family
- Single Family/Multi Family
- Multi-Family
- Low Density Residential I
- Low Density Residential II
- Rural Land
- Mixed Use
- Downtown Mixed
- Commercial Activity Center
- Pine Island Road District
- Commercial/Professional
- Flexible Development Overlay District
- Highway Commercial
- Industrial
- Public Facilities
- Park and Recreation Facilities
- Natural Resources/Preserve
- Sub-District

Cape Coral FLORIDA

October 29, 2007

0 90 180 270 360 Feet

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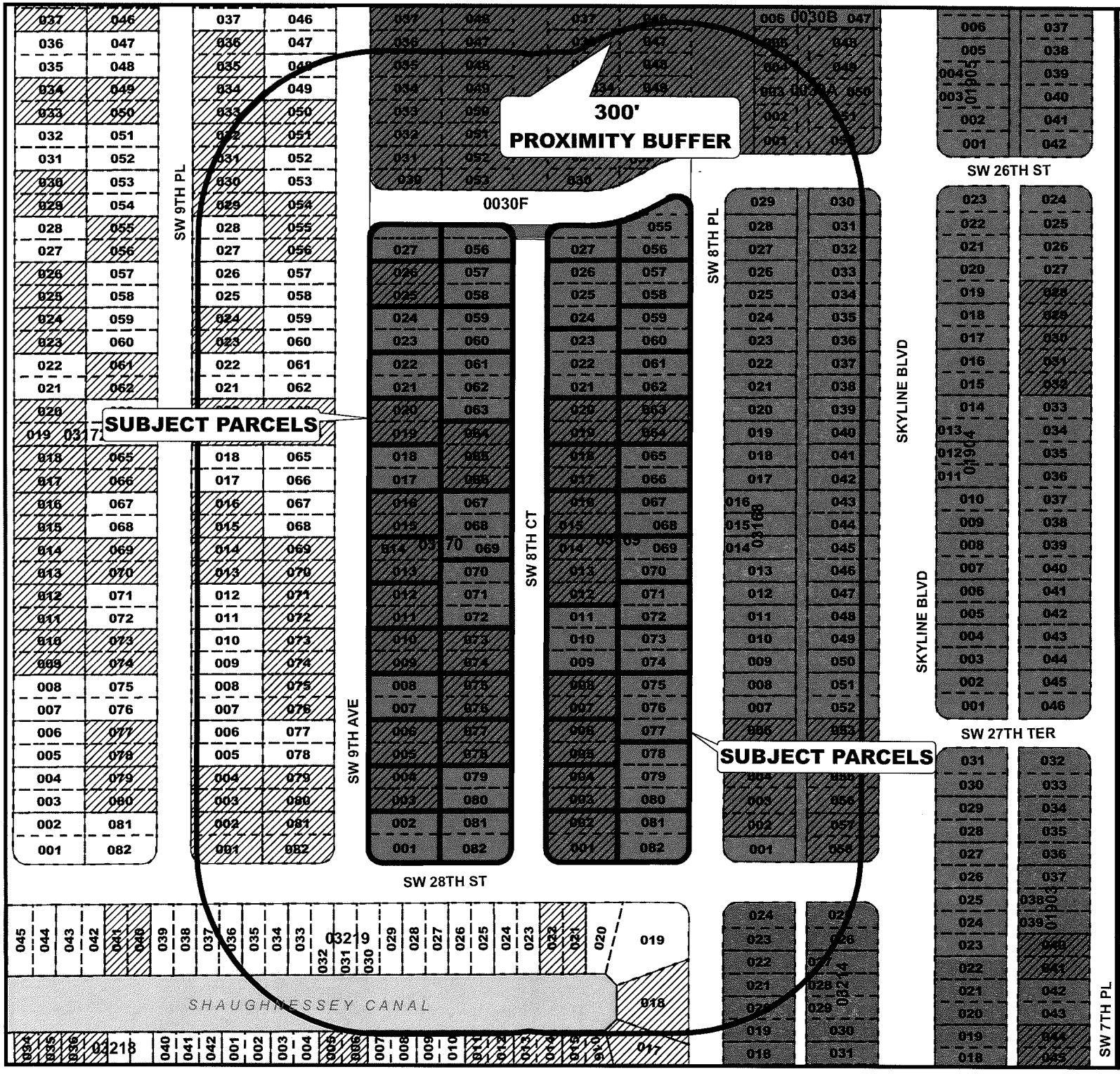

CITY OF CAPE CORAL
PLANNING DIVISION
300' Proximity Map

Case No. LU 07-01000032
BLOCK 3169, LOTS 1-82
BLOCK 3170, LOTS 1-82

LEGEND

- Subject Parcel
- Canals/Lakes
- Improved Parcels
- Lee County Parcels

PROPOSED

Future Land Use

- Single Family
- Single Family/Multi Family
- Multi-Family
- Low Density Residential I
- Low Density Residential II
- Rural Land
- Mixed Use
- Downtown Mixed
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Cape Coral FLORIDA

October 29, 2007

Feet 0 90 180 270 360

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_____Agenda _____Item

3g

Toll-Rattlesnake DRI -

90 Day Sufficiency Response Request

3g

TOLL-RATTLESNAKE REQUEST FOR SUFFICIENCY RESPONSE EXTENSION

The applicant's agent for the Toll-Rattlesnake Development of Regional Impact Application for Development Approval (ADA) has requested a 90 day extension to the deadline for responding to the ADA's sufficiency questions. The Florida Administrative Code's DRI Rule 29I-4.001(5) allows the Executive Director of the Regional Planning Council to administratively grant an initial 45-day time extension to any sufficiency response period. The Executive Director granted a 45-day extension to the sufficiency response period on September 19, 2007 (please see Attachment I). The 45-day extension set the new deadline for sufficiency responses to November 5, 2007. Subsequent to granting the 45-day extension, the applicant's agent submitted a letter to the Southwest Florida Regional Planning Council on October 01, 2007 requesting an additional 90-day extension to the sufficiency response period (please see Attachment II). A 90-day extension was granted at the Council meeting held on October 18, 2007. The 90-day extension set the new deadline for sufficiency response to February 2, 2008. Subsequent to granting the 90-day extension, the applicant's agent submitted a letter to the Southwest Florida Regional Planning Council on December 13, 2007 requesting an additional 90-day extension to the sufficiency response period (please see Attachment III). A 90-day extension was granted at the Council meeting held on January 17, 2008. The 90-day extension set the new deadline for sufficiency responses to May 02, 2008. The current deadline for sufficiency responses is May 2, 2008. The applicant has submitted another letter requesting a 90-day extension to the sufficiency response period (please see Attachment IV). The new proposed deadline for sufficiency responses would be July 31, 2008. The Florida Administrative Code's DRI Rule 29I-4.001(5) states "Any further time extension, beyond the discretionary 45 day time extension, must be formally requested by the applicant and approved by the SWFRPC board at its regular monthly meeting, prior to expiration of the discretionary 45 day extension." The applicant's agent states "this extension request is made to facilitate continued analysis of transportation impacts…".

Staff recommends approval of this extension.

ATTACHMENT I

Southwest Florida Regional Planning Council

1926 Victoria Avenue, Fort Myers, Florida 33901-3414
(239)338-2550 FAX (239)338-2560 SUNCOM (239)748-2550

September 19, 2007

Mr. Robert J. Mulhere, AICP
RWA Consulting
6610 Willow Park Drive
Naples, FL 34109

RE: Request for 45 day time extension for the Toll-Rattlesnake sufficiency responses

Dear Mr.Mulhere:

The Florida Administrative Code's DRI Rule 29I-4.001(5) allows the Executive Director to administratively grant an initial 45-day time extension to any sufficiency response period. FAC Rule 29I-4.001(5) reads in part, "The SWFRPC Executive Director, at his discretion, may grant an additional 45 day extension, upon formal written request for an extension by the applicant. Any further time extension, beyond the discretionary 45 day time extension, must be formally requested by the applicant and approved by the SWFRPC board at its regular monthly meeting, prior to expiration of the discretionary 45 day extension." We will approve your request for a 45 day extension. Initially, your sufficiency responses were due by September 21, 2007. Your new deadline for sufficiency responses is now November 5, 2007. If you would like to extend the deadline further, please send a written request as soon as possible so we can schedule your item to be heard before the Council. If you have any questions or need additional information, please let me know.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

David Y. Burr
Executive Director

DB/ju

Enclosure

cc: Applicant, Collier County, Reviewing Agencies

ATTACHMENT II

RWA INC CONSULTING 1997-2007

October 1, 2007

Mr. Dan Trescott
DRI Coordinator
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, FL 33901

Re: Toll Rattlesnake Application for Development Approval – 90 Day Extension
DRI #: 07-506-175

Dear Mr. Trescott:

Please accept this letter as our formal request for placement on the Southwest Florida Regional Planning Council's meeting agenda of October 18, 2007.

As agent for the applicant, we wish to address the Council to seek a 90-day extension for responding to the Application for Development Approval sufficiency comments, from the previously granted administrative 45-day extension that will expire on November 5, 2007. Therefore, if granted, the new response deadline would be February 2, 2008.

This extension request is made to facilitate continued analysis of transportation impacts and mitigation of projected impacts; continued analysis of potential site impacts, and opportunities to reduce impacts within environmentally sensitive lands, including ongoing discussions with stakeholders.

We would like written confirmation that the requested placement on the Council's agenda has been approved. Please feel free to contact me at (239) 597-0575 if you questions and/or comments.

Sincerely,

Robert J. Mulhere, AICP
Vice President, Director of Planning

cc: David Torres, Toll Brothers, Inc.
Gary Hains, Toll Brothers, Inc.
Richard D. Yovanovich, Goodlette, Coleman & Johnson P.A.
Michael A. Troxell, The Sembler Company
Joe Filippelli, The Sembler Company

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ATTACHMENT III

RWA INC.
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December 13, 2007

Mr. Dan Trescott
DRI Coordinator
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, FL 33901

Re: Toll Rattlesnake Application for Development Approval – 90 Day Extension
DRI #: 07-506-175

Dear Mr. Trescott:

Please accept this letter as our formal request for placement on the Southwest Florida Regional Planning Council's meeting agenda of January 17, 2007.

As agent for the applicant, we wish to address the Council to seek a 90-day extension for responding to the Application for Development Approval sufficiency comments, from the previously granted 90-day extension that will expire on February 2, 2008. Therefore, if granted, the new response deadline would be May 2, 2008.

This extension request is made to facilitate continued analysis of transportation impacts and mitigation of projected impacts; continued analysis of potential site impacts, and opportunities to reduce impacts within environmentally sensitive lands, including ongoing discussions with stakeholders.

We would like written confirmation that the requested placement on the Council's agenda has been approved. Please feel free to contact me at (239) 597-0575 if you questions and/or comments.

Sincerely,

Robert J. Mulhere, AICP
Vice President, Director of Planning

RECEIVED
DEC 18 2007
Southwest Florida Regional Planning Council

cc: David Torres, Toll Brothers, Inc.
Gary Hains, Toll Brothers, Inc.
Richard D. Yovanovich, Goodlette, Coleman & Johnson P.A.
Michael A. Troxell, The Sembler Company
Joe Filippelli, The Sembler Company

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ATTACHMENT IV

RWA INC.
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April 8, 2008

Mr. Dan Trescott
DRI Coordinator
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, FL 33901

Re: Toll Rattlesnake Application for Development Approval – 90 Day Extension
DRI #: 07-506-175

Dear Mr. Trescott:

Please accept this letter as our formal request for placement on the Southwest Florida Regional Planning Council's meeting agenda of April 17, 2008.

As agent for the applicant, we wish to address the Council to seek a 90-day extension for responding to the Application for Development Approval sufficiency comments, from the previously granted 90-day extension that will expire on May 2, 2008. Therefore, if granted, the new response deadline would be July 31, 2008.

This extension request is made to facilitate continued analysis of transportation impacts and mitigation of projected impacts; continued analysis of potential site impacts, and opportunities to reduce impacts within environmentally sensitive lands, including ongoing discussions with stakeholders. Additionally, we are forwarding $3,400.00 to you as requested in your invoice dated March 28, of this year and you should receive that next week.

We would like written confirmation that the requested placement on the Council's agenda has been approved. Please feel free to contact me at (239) 597-0575 if you questions and/or comments.

Sincerely,

Robert J. Mulhere, AICP
Vice President, Director of Planning

cc: Richard D. Yovanovich, Goodlette, Coleman & Johnson P.A.
Joe Filippelli, The Sembler Company, via email
Tom Hareas, The Sembler Company, via email
Howard Miller, The Sembler Company, via email

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Agenda Item

4

THE LOOP DRI – STAFF ASSESSMENT

4

4

_____Agenda
_____Item

5

Administrative Agenda

5

5

Agenda Item

5a

Memorandum of Understanding Between the RPCs that Comprise The FRCA Regarding the Provision of Technical Assistance

5a

MEMORANDUM OF UNDERSTANDING BETWEEN THE REGIONAL PLANNING COUNCILS THAT COMPRISE THE FLORIDA REGIONAL COUNCIL'S ASSOCIATION REGARDING THE PROVISION OF TECHNICAL ASSISTANCE

WHEREAS, FLORIDA's REGIONAL PLANNING COUNCILs, hereinafter referred to as the "RPCs", are the designated agencies for the Regional Planning implementation of Ch. 163 F.S., Ch. 186 F.S., Ch. 380 F.S.; and,

WHEREAS, the RPCs have review and recommendation responsibilities in the areas of Natural Resources, Economic Development, Emergency Management, Transportation, Affordable Housing and other strategic regional issues; and,

WHEREAS, the RPCs perform technical assistance to their local governments in performing their comprehensive planning statutory requirements; and,

WHEREAS, individual RPC'S have varying levels of expertise in the above strategic issue areas; and,

WHEREAS, individual RPC'S responsibility for implementation of Chapter 163, 186, and 380, Florida Statutes, can be aided by the expertise of other Florida RPCs; and,

WHEREAS, the Florida's eleven RPCs are members of the Florida Regional Councils Association (FRCA); and,

WHEREAS, the purpose and intent of this Memorandum of Understanding is to delineate responsibilities and foster cooperation between the RPCs regarding reviews of Applications for Development Approval (ADAs), Local Government Comprehensive Plans and other Regional Planning and planning technical assistance activities.

NOW, THEREFORE, the RPCs through the FRCA hereby understand and agree as follows:

SECTION I. Notification

If an RPC is asked to provide technical assistance outside of their boundary and within the boundary of another RPC, the requested RPCs shall notify the RPC of jurisdiction and jointly discuss the nature of the requested technical assistance. The RPCs shall coordinate in the provision of these services to the satisfaction of the client.

SECTION II. Mutual Aid

RPCs that need technical assistance in performing their statutory requirements or in the provision of technical assistance to local governments and other clients within their region shall give consideration to other RPCs that have the appropriate expertise on staff

to mutually provide technical assistance to the client or to provide the RPC seeking technical assistance with services to support their review, recommendations and reporting responsibilities. (i.e. DRI reviews)

SECTION III. Statewide Technical Assistance

FRCA shall cooperatively work together to provide technical assistance to Federal, State and regional agencies when needed at a statewide level. The option that one RPC with special expertise in an issue area will take a lead role and subcontract to the remaining RPCs shall be encouraged, with the lead RPC being appropriately compensated for their coordination services.

SECTION IV. Liability

The Parties agree that by execution of this Agreement, no Party will be deemed to have waived its statutory defense of sovereign immunity, or increased its limits of liability as provided for by Florida Statutes.

IN WITNESS WHEREOF, the Councils hereto have executed this Agreement on the day and year below written.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL hereby affirms that, at a duly constituted meeting of the Council on the _17th_ day of __April_, 2008, it approved the terms of and does hereby enter into this Agreement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

_____

Andrea Messina, Chairman

_____

ATTEST: Ken Heatherington, Executive Director

MEMORANDUM OF UNDERSTANDING BETWEEN THE REGIONAL PLANNING COUNCILS THAT COMPRISE THE FLORIDA REGIONAL COUNCIL'S ASSOCIATION REGARDING THE PROVISION OF TECHNICAL ASSISTANCE

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL hereby affirms that, at a duly constituted meeting of the Council on the _17th day of __April__, 2008, it approved the terms of and does hereby enter into this Agreement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

_____

Andrea Messina, Chairman

ATTEST: _____

Ken Heatherington, Executive Director

_____Agenda
_____Item

5b

SWFRPC Annual Audit

For FY 07

5b

5b

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

BASIC FINANCIAL STATEMENTS TOGETHER WITH REPORTS OF INDEPENDENT AUDITOR

YEAR ENDED SEPTEMBER 30, 2007

TABLE OF CONTENTS

	Page(s)
INDEPENDENT AUDITOR'S REPORT	1-2
MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)	i-v
BASIC FINANCIAL STATEMENTS	
GOVERNMENT-WIDE FINANCIAL STATEMENTS:	
Statement of Net Assets	3
Statement of Activities	4
FUND FINANCIAL STATEMENTS:	
Governmental Funds:	
Balance Sheet	5
Reconciliation of the Balance Sheet - Governmental Funds to the Statement of Net Assets	6
Statement of Revenues, Expenditures and Changes in Fund Balance	7
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Funds to the Statement of Activities	8
NOTES TO THE FINANCIAL STATEMENTS	9-32
REQUIRED SUPPLEMENTARY INFORMATION OTHER THAN MD&A	
BUDGET TO ACTUAL COMPARISON - MAJOR FUNDS (General and Special Revenue Funds)	
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund - Summary Statement	33
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund - Detailed Statement	34-35
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - Special Revenue Fund - Summary Statement	36
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - Special Revenue Fund - Detailed Statement	37-38
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE	39-40
Notes to Schedule of Expenditures of Federal Awards and State Financial Assistance	41
ADDITIONAL REPORTS OF INDEPENDENT AUDITOR	
Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Basic Financial Statements Performed in Accordance with Government Auditing Standards	42-43

TABLE OF CONTENTS (CONTINUED)

Page(s)

ADDITIONAL REPORTS OF INDEPENDENT AUDITOR (CONTINUED)

Independent Auditor's Report on Compliance with Requirements Applicable to Each Major Program and Internal Control Over Compliance with OMB Circular A-133 and the Florida Single Audit Act (Florida Statute 215.97)..... 44-46

Schedule of Findings and Questioned Costs - Federal Awards and State Financial Assistance..... 47-48

Independent Auditor's Report to Management..... 49-53

Management's Response to Independent Auditor's Report to Management..... Exhibit

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Affiliations

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American Institute of Certified Public Accountants
Private Companies Practice Section
Tax Division

INDEPENDENT AUDITOR'S REPORT

Executive Committee and Council Members
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

We have audited the accompanying basic financial statements of Southwest Florida Regional Planning Council (the "Council"), as of September 30, 2007, and for the year then ended, as listed in the table of contents. These basic financial statements are the responsibility of the Council's management. Our responsibility is to express an opinion on these basic financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those Standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall basic financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the basic financial statements referred to above present fairly, in all material respects, the financial position of Southwest Florida Regional Planning Council as of September 30, 2007, and the results of its operations for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Auditing Standards, we have also issued our report dated March 4, 2008, on our consideration of Southwest Florida Regional Planning Council's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, grants and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance, and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards, and should be considered in assessing the results of our audit.

The Management's Discussion and Analysis (MD&A) on pages i-v is not a required part of the basic financial statements but is supplementary information required by the Governmental Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the Management's Discussion and Analysis. However, we did not audit the information and express no opinion on it.

Our audit was conducted for the purpose of forming an opinion on the Council's basic financial statements taken as a whole. The required supplementary information other than MD&A on pages 33-38 described in the accompanying table of contents is presented for the purposes of additional analysis and is not a required part of the basic financial statements but is supplementary information required by the Governmental Accounting Standards Board. Such information has been subjected to the auditing procedures applied by us in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

The accompanying Schedule of Expenditures of Federal Awards and State Financial Assistance, on pages 39 and 40, for the year ended September 30, 2007, is presented for purposes of additional analysis and is not a required part of the basic financial statements, but is a requirement within the provisions of Office of Management and Budget (OMB) Circular A-133 "Audits of States, Local Governments and Non-Profit Organizations," Florida Statute 215.97 and the State of Florida Auditor General Rule 10.550. This supplementary information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Tuscan & Company, P.A.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
March 4, 2008

MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
Management's Discussion and Analysis
(unaudited)

This discussion and analysis of the Southwest Florida Regional Planning Council (the "Council") financial statements is designed to introduce the basic financial statements and provide an analytical overview of the Council's financial activities for the fiscal year ended September 30, 2007. The basic financial statements are comprised of the government-wide financial statements, governmental fund financial statements, and footnotes. We hope this will assist readers in identifying significant financial issues and changes in the Council's financial position.

Council Financial Highlights:

- At the close of fiscal year 2007 the Council's assets exceeded its liabilities, resulting in net assets of $807,174.
- The Council's total net assets increased $212,264, or 35.68 percent.
- The Council had $491,684 of unrestricted net assets that can be used to meet the Council's ongoing obligations.
- Total revenues increased $338,098, or 10.3 percent, in comparison to the prior fiscal year.
- Total expenses increased $213,673, or 6.69 percent, in comparison to the prior fiscal year.

Government-Wide Financial Statements

Government-wide financial statements (statement of net assets and statement of activities found on pages 3 and 4, respectively) are intended to allow a reader to assess a government's operational accountability. Operational accountability is defined as the extent to which the government has met it's operating objectives efficiently and effectively, using all resources available for that purpose, and whether it can continue to meet it's objectives for the foreseeable future. Government-wide financial statements concentrate on the Council as a whole and do not emphasize fund types.

The *Statement of Net Assets* (page 3) presents information on all of the Council's assets and liabilities, with the difference between the two reported as net assets. The Council's capital assets (land, building, equipment, furniture and fixtures, and vehicles) are included in this statement and reported net of their accumulated depreciation.

The *Statement of Activities* (page 4) presents revenue and expense information showing how the Council's net assets changed during the fiscal year. Both statements are measured and reported using the economic resource measurement focus (revenues and expenses) and the accrual basis of accounting (revenue recognized when earned and expense is recognized when a liability is incurred).

Governmental Fund Financial Statements

The accounts of the Council are organized on the basis of governmental funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise it's assets, liabilities, fund equity, revenues, and expenditures. Government resources are allocated to and accounted for in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled.

Governmental fund financial statements (found on pages 5 and 7) are prepared on the modified accrual basis using the current financial resources measurement focus. Under the modified accrual basis of accounting, revenues are recognized when they become measurable and available as net current assets.

Notes to the Financial Statements

The notes to the financial statements explain in detail some of the data contained in the preceding statements and are on pages 9 through 32. These notes are essential to a full understanding of the data provided in the government-wide and fund financial statements.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
Management's Discussion and Analysis
(unaudited)

Government-Wide Financial Analysis

The government-wide financial statements were designed so that the user could determine if the Council is in a better or worse financial condition from the prior year.

The following table reflects a Summary Statement of Net Assets at September 30, 2007 and 2006:

Southwest Florida Regional Planning Council
Summary Statement of Net Assets
September 30,

	2007	2006	Change	% Change
Assets:				
Current assets	$ 2,043,591	$ 1,210,539	$ 833,052	68.82%
Capital assets, net	1,694,059	1,709,269	(15,210)	-0.89%
Total assets	$ 3,737,650	$ 2,919,808	$ 817,842	28.01%
Liabilities:				
Current liabilities	$ 1,528,504	$ 865,534	$ 662,970	76.60%
Noncurrent liabilities	1,401,972	1,459,364	(57,392)	-3.93%
Total liabilities	2,930,476	2,324,898	605,578	26.05%
Net assets:				
Invested in capital assets, net of related debt	315,490	282,740	32,750	11.58%
Unrestricted	491,684	312,170	179,514	57.51%
Total net assets	807,174	594,910	212,264	35.68%
Total liabilities and net assets	$ 3,737,650	$ 2,919,808	$ 817,842	28.01%

For fiscal year 2007, current assets represent 54 percent of total assets. Current assets are comprised of cash and cash equivalents of $860,673, investments of $500,618, grants receivables of $652,249, contract and other receivables of $28,782 and other assets of $1,269. At September 30, 2007, $43,819 of the cash balance and the entire investment balance of $500,618 was restricted and comprised of balances reflected as deferred grant and contract revenue. Approximately $800,000 of the total increase in current assets is attributable to an increase in cash and grants and contracts receivable.

For the fiscal year 2007, current liabilities are comprised of accounts payable and accrued expenses of $210,028, retainage payable of $35,472, due to other governments of $6,780, deferred grant revenue of $75,000, deferred contract revenue of $1,150,468 and the current portion of long-term liabilities of $50,756. Approximately $490,000 of the total increase in current liabilities is attributable to an increase in deferred contract revenue.

The investment in capital assets, net of related debt represents 39 percent of net assets and is comprised of land, building, equipment, furniture and fixtures, and vehicles, net of accumulated depreciation and the outstanding related debt used to acquire the assets. The unrestricted net asset balance of $491,684 increased $179,514, or 58 percent. The unrestricted net asset balance represents resources available for spending.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
Management's Discussion and Analysis
(unaudited)

The following schedule reports the revenues, expenses, and changes in net assets for the Council for the current and previous fiscal year:

Southwest Florida Regional Planning Council
Summary of Changes in Net Assets
Years Ended September 30,

Revenues:	2007	2006	Change	% Change
Program Revenues				
Charges for services - dues & fees	$ 787,510	$ 701,991	$ 85,519	12.18%
Contracts, grants and contributions	2,788,940	2,555,421	233,519	9.14%
General Revenues				
Interest and miscellaneous	44,522	25,462	19,060	74.86%
Total revenues	$ 3,620,972	$ 3,282,874	$ 338,098	10.30%
Expenses:				
Project Planning				
Personal services	$ 2,000,160	$ 1,852,397	$ 147,763	7.98%
Operating expenses	1,260,336	1,198,552	61,784	5.15%
Depreciation	68,421	61,653	6,768	10.98%
Interest and fiscal charges	79,791	82,433	(2,642)	-3.21%
Total expenses	3,408,708	3,195,035	213,673	6.69%
Change in net assets	212,264	87,839	$ 124,425	
Net Assets - Beginning	594,910	507,071		
Net Assets - Ending	$ 807,174	$ 594,910		

Budgetary Highlights

Budget versus actual comparisons are presented in the required supplementary information other than the Management's Discussion and Analysis.

Original to Final Budget Variances

The Council Members approved several budget amendments during the fiscal year ended September 30, 2007. The budget amendments decreased total budgeted expenditures by $180,000 in the General Fund and by $100,000 in the Special Revenue Fund.

Final Budget to Actual Variances

No financially significant final budget versus actual line item variances were noted in the General Fund for either revenues or expenditures (before indirect expenditure allocations).

Capital Assets

Non-depreciable captial assets include land. Depreciable capital assets include building, equipment, furniture and fixtures, and vehicles. The following is a schedule of the Council's capital assets as of September 30, 2007 and 2006:

Southwest Florida Regional Planning Council
Capital Assets
September 30,

	2007	2006	Change
Non-Depreciable Capital Assets			
Land	$ 375,565	$ 375,565	$ -
Depreciable Capital Assets			
Building and improvements	1,347,943	1,326,201	21,742
Furniture and fixtures	21,550	21,550	-
Equipment	230,601	217,360	13,241
Vehicles	14,292	14,292	-
Total depreciable capital assets	1,614,386	1,579,403	34,983
Less Accumulated Depreciation			
Building and improvements	(95,821)	(61,649)	(34,172)
Furniture and fixtures	(10,264)	(7,185)	(3,079)
Equipment	(175,515)	(162,573)	(12,942)
Vehicles	(14,292)	(14,292)	-
Total depreciable capital assets	(295,892)	(245,699)	(50,193)
Depreciable capital assets, net	1,318,494	1,333,704	(15,210)
Capital Assets, net	$ 1,694,059	$ 1,709,269	$ (15,210)

Debt Administration

At September 30, 2007, the Council had $1,452,728 of oustanding debt, which is comprised of $1,401,972 of noncurrent long-term obligations and $50,756 of current portion of long-term obligations as shown on the Statement of Net Assets. The following is a detailed schedule of the Council's outstanding debt as of September 30, 2007 and 2006:

Southwest Florida Regional Planning Council
Outstanding Debt
September 30,

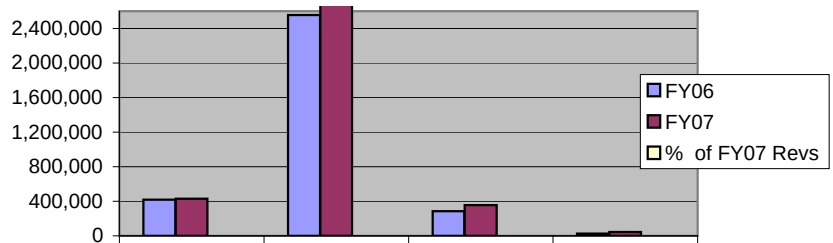
	2007	2006	Change
Note Payable	$ 1,378,569	$ 1,426,529	$ (47,960)
Compensated Absences	74,159	80,795	(6,636)
Total Outstanding Debt	$ 1,452,728	$ 1,507,324	$ (54,596)

The note payable for the office building has a monthly payment of $10,646, including interest, with a final payment of $826,523 due June 1, 2016. The amount reported as compensated absences represents the total amount the Council had due at the termination of all employees' employment.

Other Known Facts, Decisions, or Conditions

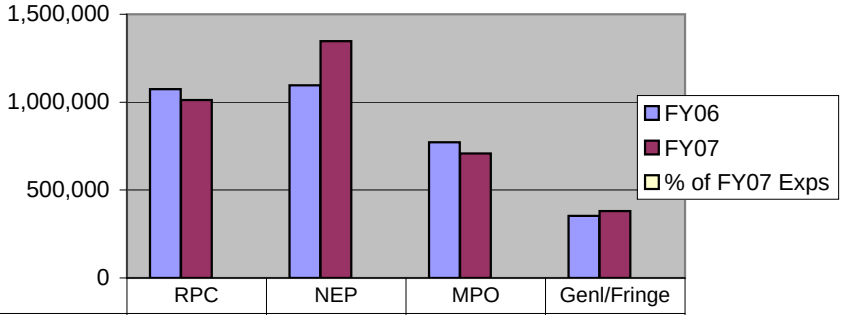
Member assessments, DRI and NOPC fees, and grants and contracts provide the majority of revenues for the Council and provide the basis for the operating expenses. Grant and contracts provided 77%, DRI and NOPC fees provided 10% and assessments provided 12% of fiscal year 2007 revenues. Interest and miscellaneous income provided 1% of fiscal year 2007 revenues.

Revenues - Fund Basis (All Funds)



	Dues	Grants/Cont	DRI/NOPC	Int/Misc
FY06	417,257	2,555,421	284,734	25,462
FY07	431,470	2,788,940	356,040	44,522
% of FY07 Revs	11.92%	77.02%	9.83%	1.23%

Expenditures - Fund Basis (All Funds)



	RPC	NEP	MPO	Genl/Fringe
FY06	1,074,798	1,095,845	771,053	352,259
FY07	1,012,280	1,346,526	708,808	380,480
% of FY07 Exps	29.36%	39.05%	20.56%	11.03%

Request for Information

This financial report is designed to provide the reader an overview of the Council. Questions regarding any information provided in this report should be directed to: the Southwest Florida Regional Planning Council,1926 Victoria Avenue, Fort Myers, Florida 33901. The phone is (239) 338-2550, extension 237.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF NET ASSETS
September 30, 2007

	Governmental Activities
ASSETS	
Current assets:	
Cash and cash equivalents (of which $43,819 is restricted)	$ 860,673
Investments (of which $500,618 is restricted)	500,618
Due from other governments - grants	652,249
Receivables - contracts and other	28,782
Other assets	1,269
Total current assets	2,043,591
Noncurrent assets:	
Capital assets:	
Land	375,565
Depreciable buildings, improvements, equipment and vehicles (net of $295,892 accumulated depreciation)	1,318,494
Total noncurrent assets	1,694,059
TOTAL ASSETS	$ 3,737,650
LIABILITIES	
Current liabilities:	
Accounts payable and accrued expenses	$ 210,028
Retainage payable	35,472
Due to other governments	6,780
Deferred revenue - grants	75,000
Deferred revenue - contracts	1,150,468
Current portion of long-term obligations	50,756
Total current liabilities	1,528,504
Noncurrent liabilities:	
Noncurrent portion of long-term obligations	1,401,972
Commitments and Contingencies	-
TOTAL LIABILITIES	2,930,476
NET ASSETS	
Invested in capital assets, net of related debt	315,490
Unrestricted	491,684
TOTAL NET ASSETS	807,174
TOTAL LIABILITIES AND NET ASSETS	$ 3,737,650

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF ACTIVITIES
Year Ended September 30, 2007

	Governmental Activities
EXPENSES	
Governmental Activities	
Project Planning:	
Personal services	$ 2,000,160
Operating expenses	1,260,336
Depreciation	68,421
Interest and fiscal charges	79,791
TOTAL EXPENSES - GOVERNMENTAL ACTIVITIES	3,408,708
PROGRAM REVENUES	
Charges for services:	
Dues and fees	787,510
Contracts	61,112
Operating grants and contributions	2,727,828
TOTAL PROGRAM REVENUES	3,576,450
NET PROGRAM REVENUES	167,742
GENERAL REVENUES	
Interest and miscellaneous	44,522
TOTAL GENERAL REVENUES	44,522
INCREASE IN NET ASSETS	212,264
NET ASSETS - Beginning of the year	594,910
NET ASSETS - End of the year	$ 807,174

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
BALANCE SHEET - GOVERNMENTAL FUNDS
September 30, 2007

	General Fund	Special Revenue Fund	Total Governmental Funds
ASSETS			
Cash and cash equivalents	$ 860,673	$ -	$ 860,673
Investments	500,618	-	500,618
Due from other governments - grants	-	652,249	652,249
Receivables - contracts and other	-	28,782	28,782
Due from other funds	-	544,437	544,437
Other assets	1,269	-	1,269
TOTAL ASSETS	$ 1,362,560	$ 1,225,468	$ 2,588,028
LIABILITIES AND FUND BALANCE			
LIABILITIES			
Accounts payable and accrued expenses	$ 210,028	$ -	$ 210,028
Retainage payable	35,472	-	35,472
Due to other governments	6,780	-	6,780
Due to other funds	544,437	-	544,437
Deferred revenue - grants	-	75,000	75,000
Deferred revenue - contracts	-	1,150,468	1,150,468
TOTAL LIABILITIES	796,717	1,225,468	2,022,185
FUND BALANCE			
Unreserved, reported in:			
General Fund			
Designated for operations	312,000	-	312,000
Undesignated	253,843	-	253,843
TOTAL FUND BALANCE	565,843	-	565,843
TOTAL LIABILITIES AND FUND BALANCE	$ 1,362,560	$ 1,225,468	$ 2,588,028

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
RECONCILIATION OF THE BALANCE SHEET - GOVERNMENTAL FUNDS TO THE STATEMENT OF NET ASSETS
September 30, 2007

		Amount
Total fund balance for governmental funds		$ 565,843
Amounts reported for governmental activities in the Statement of Net Assets are different because:		
Capital assets used in governmental activities are not financial resources and therefore are not reported in the governmental funds.		
Capital assets not being depreciated:		
Land	375,565	
		375,565
Governmental capital assets being depreciated:		
Building, Improvements, Equipment and Vehicles	1,614,386	
Less accumulated depreciation	(295,892)	
		1,318,494
Long-term liabilities are not due and payable in the current period and therefore are not reported in the funds.		
Note payable	(1,378,569)	
Compensated absences	(74,159)	
		(1,452,728)
Elimination of interfund amounts:		
Due from other funds	(544,437)	
Due to other funds	544,437	
		-
Total net assets of governmental activities		$ 807,174

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - GOVERNMENTAL FUNDS
Year Ended September 30, 2007

	General Fund	Special Revenue Fund	Total Governmental Funds
REVENUES			
Federal and state grants	$ -	$ 2,727,828	$ 2,727,828
Contracts and local grants	-	61,112	61,112
County and city assessments	431,470	-	431,470
DRI fees	-	347,790	347,790
DRI monitoring fees	-	8,250	8,250
Interest and miscellaneous	44,522	-	44,522
TOTAL REVENUES	475,992	3,144,980	3,620,972
EXPENDITURES			
Current			
Personal services	334,972	1,671,824	2,006,796
Operating expenditures	45,508	1,214,828	1,260,336
Capital outlay	-	53,211	53,211
Debt service			
Principal retirement	-	47,960	47,960
Interest and fiscal charges	-	79,791	79,791
TOTAL EXPENDITURES	380,480	3,067,614	3,448,094
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	95,512	77,366	172,878
OTHER FINANCING SOURCES (USES)			
Operating transfers in	77,366	-	77,366
Operating transfers out	-	(77,366)	(77,366)
TOTAL OTHER FINANCING SOURCES (USES)	77,366	(77,366)	-
EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES	172,878	-	172,878
FUND BALANCE - Beginning of the year	392,965	-	392,965
FUND BALANCE - End of the year	$ 565,843	$ -	$ 565,843

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
Year Ended September 30, 2007

		Amount
Net change (revenues in excess of expenditures) in fund balance - total governmental funds		$ 172,878
The increase in net assets reported for governmental activities in the Statement of Activities is different because:		
Governmental funds report capital outlays as expenditures. However, in the Statement of Activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.		
Expenditures for capital assets	53,211	
Less: current year depreciation	(68,421)	
		(15,210)
Repayment of debt principal is reported as an expenditure in the governmental funds and thus contributes to the change in fund balance. In the Statement of Net Assets, however, repayments of debt principal reduces the liability.		47,960
Some expenses reported in the Statement of Activities do not require the use of current financial resources and therefore are not reported as expenditures in the governmental funds.		
Decrease in compensated absences		6,636
Interfund transfers increase or decrease the fund balance of the respective funds; however, the transactions offset in the government-wide statements.		
Special revenue fund:		
Operating transfers out	77,366	
General fund:		
Operating transfers in	(77,366)	
		-
Increase in net assets of governmental activities		$ 212,264

The accompanying notes are an integral part of this statement.

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization

Southwest Florida Regional Planning Council (the "Council") is a governmental agency, created on November 8, 1973 via interlocal agreements as provided by Florida Statute 163.01 and 163.02, as amended, to assist other governmental and private agencies in the planning of projects in the Southwest Florida area under Florida Statute 186.504. The Council acts as a regional planning agency and exercises its rights and duties pursuant to Florida Statutes Chapters 23, 160, 163 and 380. The Council's principal members consist of Charlotte, Collier, Glades, Hendry, Lee and Sarasota Counties. The Council's Board Members are appointed per statutory requirement. The Council is funded through statutory member assessments, various fees, and multiple federal, state, and local grants and contracts.

Specifically, the Council's mission is:

1. To make the most efficient use of its powers to promote cooperation for mutual advantage in order to provide services and facilities that will accord best with geographic, economic, social, land use, transportation, public safety resources, and other factors influencing the needs and development of local communities within its six county region;
2. To serve as a regional coordinator for the local governmental units comprising the region;
3. To exchange information on and review programs of regional concerns;
4. To promote communication between the local governments for the conservation and compatible development of the Southwest region;
5. To cooperate with Federal, State, and local government and non-government agencies to accomplish regional objectives; and
6. To do all things authorized for a Regional Planning Agency under Chapter 163, 186 and 380 of the Florida Statutes and other applicable Florida, Federal, State, and local laws, rules, and regulations.

Summary of significant accounting policies

The following is a summary of the significant accounting policies used in the preparation of these basic financial statements.

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Summary of significant accounting policies, continued

The basic financial statements of the Council are comprised of the following:

- Government-wide financial statements
- Fund financial statements
- Notes to the financial statements

Reporting entity

The Council has adopted Governmental Accounting Standards Board (GASB) Statement Number 14, "Financial Reporting Entity" (GASB 14), as amended by GASB Statement Number 39, "Determining Whether Certain Organizations Are Component Units." These Statements require the financial statements of the Council (the primary government) to include its component units, if any. A component unit is a legally separate organization for which the elected officials of the primary government are financially accountable. Based on the criteria established in GASB Statement 14, as amended, there are no potential component units included or required to be included in the Council's financial statements.

The Council assisted in the creation and establishment of Southwest Florida Resource Conservation and Development Council, Inc. ("Conservation"), an independent Florida not-for-profit corporation. Conservation's mission is to develop a resource conservation plan for its service area, as well as to act as a clearinghouse for other conservation groups and efforts.

The Council provides no direct support to Conservation and does not have authority to exercise economic control over Conservation. The Council, however, provides Conservation with bookkeeping services free of charge. The Council cannot appoint or remove the Board members of Conservation. Therefore, Conservation is not considered a component unit of the Council, and its financial activity is not included within these financial statements.

The Council is the host (sponsoring agency) of the Metropolitan Planning Agency (MPO) and the National Estuary Program (NEP). The MPO and the NEP each operate as functioning entities, and each has a separate Board of Directors and budget. Both the MPO and NEP operate pursuant to authority granted by federal and state law. Both

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Reporting entity, continued

are funded through federal grants and local contributions. Neither entity, however, is a legally separate or independent entity. The Council economically controls both the MPO and NEP. As such, all the financial activity and assets of the MPO and the NEP are accounted for by the Council and reflected in the accompanying financial statements.

The mission of the MPO is to ensure that comprehensive, coordinated highway facilities, mass transit, rail systems, air transportation, and other facilities are located and developed.

The Charlotte Harbor National Estuary Program (NEP) is a partnership that protects the estuaries of Southwest Florida from Venice to Estero Bay. This program gives citizens, elected officials, resource managers, and commercial and recreational resource users in the 4,400-square-mile study area a voice to address diverse resource management concerns, including fish and wildlife habitat loss, water quality degradation, and water flow. The program addresses these concerns through public education, research, restoration, and legislation. The watershed in the program area includes Lee, Charlotte, Hardee, and DeSoto counties and parts of Sarasota, Manatee, and Polk counties.

Government-wide Financial Statements

The government-wide financial statements (i.e., the Statement of Net Assets and the Statement of Activities) report information on all of the activities of the Council and do not emphasize fund types. These governmental activities comprise the primary government. General governmental and intergovernmental revenues support the governmental activities. The purpose of the government-wide financial statements is to allow the user to be able to determine if the Council is in a better or worse financial position than the prior year. The effect of all interfund activity between governmental funds has been removed from the government-wide financial statements.

Government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Under the accrual basis of accounting, revenues, expenses, gains, losses, assets, and liabilities resulting from

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Government-wide Financial Statements, continued

exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets, and liabilities resulting from nonexchange transactions are recognized in accordance with the requirements of GASB Statement 33, "Accounting and Financial Reporting for Nonexchange Transactions."

Amounts paid to acquire capital assets are capitalized as assets in the government-wide financial statements, rather than reported as expenditures. Proceeds of long-term debt are recorded as liabilities in the government-wide financial statements, rather than as other financing sources. Amounts paid to reduce long-term indebtedness of the reporting government are reported as a reduction of the related liability in the government-wide financial statements, rather than as expenditures.

The statement of activities demonstrates the degree to which the direct expenses of a given function are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function, and 2) grants and contributions that are restricted to meeting the operational or capital improvements of a particular function. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Program revenues are considered to be revenues generated by services performed and/or by fees charged such as dues, fees, and operating grants and contracts.

Fund Financial Statements

The accounts of the Council are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity or retained earnings, revenues, and expenditures or expenses, as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled.

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Fund Financial Statements, continued

Fund financial statements for the Council's governmental funds are presented after the government-wide financial statements. These statements display information about major funds individually and nonmajor funds in aggregate for governmental funds.

Governmental Funds

When both restricted and unrestricted resources are combined in a fund, expenditures are considered to be paid first from restricted resources, as appropriate, and then from unrestricted resources. Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are considered to be available when they are collected within the current period or soon thereafter to pay liabilities of the current period.

The Council's major funds are presented in separate columns on the governmental fund financial statements. The definition of a major fund is one that meets certain criteria set forth in GASB Statement Number 34, "Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments". The funds that do not meet the criteria of a major fund are considered non-major funds and are combined into a single column on the governmental fund financial statements.

Separate financial statements are provided for governmental funds. Major individual governmental funds are reported in separate columns on the fund financial statements.

Measurement Focus and Basis of Accounting

Basis of accounting refers to when revenues and expenditures, or expenses, are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied.

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements have been met.

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Measurement Focus and Basis of Accounting, continued

Governmental fund financial statements are reported using the current financial resources management focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period and soon enough thereafter to pay liabilities of the current period. For this purpose, the Council considers tax revenues to be available if they are collected within sixty days of the end of the current fiscal period.

Revenues susceptible to accrual are interest on investments and intergovernmental revenues. Interest on invested funds is recognized when earned. Intergovernmental revenues that are reimbursements for specific purposes or projects are recognized when all eligibility requirements are met.

Expenditures are generally recognized under the modified accrual basis of accounting when the related fund liability is incurred. Exceptions to this general rule include: (1) principal and interest on the long-term debt, if any, which is recognized when due; and (2) expenditures are generally not divided between years by the recording of prepaid expenditures.

When both restricted and unrestricted resources are available for use, it is the Council's policy to use restricted resources first, then unrestricted resources as they are needed.

Non-current Government Assets/Liabilities

GASB 34 requires non-current governmental assets, such as land and buildings, and non-current governmental liabilities, such as notes payable and capital leases to be reported in the governmental activities column in the government-wide Statement of Net Assets.

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Major Funds

The Council reports the following major governmental funds:

The General Fund is the Council's primary operating fund. It accounts for all financial resources of the Council, except those required to be accounted for in another fund.

The Special Revenue Fund is used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes. The Council accounts for grant proceeds received and grant expenditures incurred in its Special Revenue Fund as well as all contract and special purpose revenue.

Budgetary Information

The Council has elected to report budgetary comparison of major funds as required supplementary information (RSI).

Investments

The Council adheres to the requirements of Governmental Accounting Standards Board (GASB) Statement Number 31, "Accounting and Financial Reporting for Certain Investments and for External Investment Pools," in which all investments are reported at fair value.

Investments, including restricted investments, consist of the State of Florida Local Government Surplus Funds Trust Fund.

Capital Assets

Capital assets, which include land, buildings, furniture and fixtures, equipment, and vehicles, are reported in the government-wide financial statements in the Statement of Net Assets.

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Capital Assets, continued

The Council follows a capitalization policy which calls for capitalization of all fixed assets that have a cost or donated value of $1,000 or more and have a useful life in excess of one year.

All capital assets are valued at historical cost, or estimated historical cost if actual historical cost is not available. Donated capital assets are valued at their estimated fair market value on the date donated. Public domain (infrastructure) capital assets consisting of certain improvements other than building, including curbs, gutters, and drainage systems, are not capitalized, as the Council generally does not acquire such assets. No debt-related interest expense is capitalized as part of capital assets in accordance with GASB Statement #34.

Maintenance, repairs, and minor renovations are not capitalized. The acquisition of land and construction projects utilizing resources received from Federal and State agencies are capitalized when the related expenditure is incurred.

Expenditures that materially increase values, change capacities, or extend useful lives are capitalized. Upon sale or retirement, the cost is eliminated from the respective accounts.

Expenditures for capital assets are recorded in the fund statements as current expenditures. However, such expenditures are not reflected as expenditures in the government-wide statements, but rather are capitalized and depreciated.

Depreciable capital assets are depreciated using the straight-line method over the following estimated useful lives:

Asset	Years
Buildings	45
Improvements Other Than Buildings	7-15
Furniture & Fixtures	7
Equipment	3-10
Vehicles	3

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Budgets and budgetary accounting

The Council has adopted annual budgets for the General Fund and the Special Revenue Fund. For the year ended September 30, 2007, the Council budgeted expenditures in excess of revenues (before amendments) of $1,471,530 in the General Fund and a transfer in from the Special Revenue Fund to fund the loss. Revenues were budgeted in excess of expenditures (before amendments) in the Special Revenue Fund for the year ended September 30, 2007 in the amount of $1,471,530. This excess in the Special Revenue Fund was budgeted to be transferred to the General Fund to cover its budgeted loss. Any remaining excess after the transfer in, was intended to be carried forward to the subsequent year.

The Council follows these procedures in establishing budgetary data for the General Fund and Special Revenue Fund.

1. During the summer of each year, Council management submits to the Board a proposed operating budget for the fiscal year commencing on October 1. The operating budget includes proposed expenditures and the means of financing them.

2. Public hearings are conducted to obtain public comments.

3. The budget is adopted by approval of the Board Members.

4. Budgets for the General and Special Revenue Funds are adopted on a basis consistent with accounting principles generally accepted in the United States of America.

5. Budget transfers can be made throughout the year between expenditure accounts by approval of the Board Members. The level of control for appropriations is exercised at the fund level.

6. Budget amounts, as shown in these basic financial statements, are as originally adopted or as amended by the Board Members.

7. Appropriations lapse at year-end.

8. The Board Members approved several budget amendments during the fiscal year ended September 30, 2007. The budget amendments decreased total budgeted expenditures by $180,000 in the General Fund and by $100,000 in the Special Revenue Fund.

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Encumbrances

Encumbrances accounting, under which purchase orders, contracts, and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is not employed by the Council because it is at present not necessary to assure effective budgetary control or to facilitate effective cash planning and control.

Compensated absences

The Council's employees accumulate leave based on various criteria including the number of years of continuous service and job classification.

Leave which is requested and approved prior to the day in which it is taken by the employee (vacation) shall be considered to be scheduled leave. At September 30, any scheduled leave accrued above 160 hours shall be used or forfeited. Any employee who is separated from the Council staff by layoff, resignation, death, disability, or other cause shall be paid for the number of working hours of unused scheduled (vacation) leave accrued, not to exceed 160 hours.

Leave not requested/approved prior to the day it is taken (sick time) shall be considered unscheduled. Unscheduled leave may be accumulated to a total of 200 hours. There is no reimbursement for unscheduled leave accrual at the time of an employee's termination from the Council.

Due From Other Governments

No allowances for losses on uncollectible accounts has been recorded since the Council considers all amounts to be fully collectible.

Management estimates

The preparation of the basic financial statements in conformity with accounting principles generally accepted in the United States of America requires the Council to make estimates and assumptions that affect the reported amounts of assets, liabilities, fund equity, and disclosure of contingent assets and liabilities at the date of the basic

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Management estimates, continued

financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

Fund equity

In the governmental fund financial statements, reservation of fund balance indicates amounts that are limited for a specific purpose, not appropriable for expenditure, or are legally segregated for a specific future use. Designations of fund balance represent tentative management plans. Unreserved, undesignated fund balance indicates funds that are available for current expenditure.

Interfund Transactions

The Council considers interfund receivables (due from other funds) and interfund liabilities (due to other funds) to be loan transactions to and from other funds to cover temporary (three months or less) cash needs. Transactions that constitute reimbursements to a fund for expenditures/expenses initially made from it that are properly applicable to another fund are recorded as expenditures/expenses in the reimbursing funds and as reduction of expenditures/expenses in the fund that is reimbursed.

NOTE B - CASH AND CASH EQUIVALENTS

Cash was $860,673, including cash on hand of $200 at September 30, 2007.

Deposits

The Council's deposit policy allows deposits to be held in demand deposits and money market accounts. All Council depositories are institutions designated as qualified depositories by the State Treasurer at September 30, 2007.

NOTE B - CASH AND CASH EQUIVALENTS, CONTINUED

The Council's deposits consist of the following at September 30, 2007:

	Bank Balance	Carrying Amount
Depository Accounts	$ 861,760	$ 860,473

These deposits were entirely covered by federal depository insurance or by collateral pursuant to the Public Depository Security Act (Florida Statute 280) of the State of Florida. Bank balances approximate market value. Depository accounts are fully insured.

Restricted cash

At September 30, 2007, cash of $43,819 was restricted and was comprised of balances reflected as deferred grant and contract revenue, less investments and Special Revenue Fund grants/contracts receivable.

NOTE C - INVESTMENTS

Florida Statutes and the Council's investment policy authorize investments in the Local Government Surplus Funds Trust Fund (SBA) administered by the State Board of Administration. At September 30, 2007 the District had investments held in the Local Government Surplus Funds Trust Fund with a book balance of $500,618 and a bank balance of $500,618.

The Local Government Surplus Funds Trust Fund (SBA) is an external 2A7-like investment pool. The Council's investment in the SBA represented less than 1% of the SBA's total investments. Investments held in the SBA include but are not limited to short-term federal agency obligations, treasury bills, repurchase agreements, and

NOTE C - INVESTMENTS, CONTINUED

commercial paper. These short-term investments are stated at cost, which approximates market value. Investment income is recognized as earned and is allocated to participants of the SBA based on their equity participation.

The Council's investments consist of the following at September 30, 2007:

	Carrying Amount		Bank Balance
	General Fund	Special Revenue Fund	Total
Unrestricted			
State Board of Administration Investment Pool	$ -	$ -	$ -
Restricted			
State Board of Administration Investment Pool			
Deferred grant/contract revenues	500,618	-	500,618
	$ 500,618	$ -	$ 500,618

These investments were entirely covered by federal depository insurance or by collateral pursuant to the Public Depository Security Act (Florida Statute 280) of the State of Florida. Bank balances approximate market value.

The State Board of Administration Investment Pool is not categorized by risk assessment as it is not evidenced by securities that exist in physical or book entry form.

NOTE D - DUE FROM OTHER GOVERNMENTS - GRANTS

Grants receivable consisted of the following at September 30, 2007:

	Amount
Federal	
National Estuary Program - Charlotte Harbor (CFDA 66.456)	$ 214,287
FDOT - PL Sec. 112-MPO-07-08 (CFDA 20.205)	139,207
Hazard Mitigaton (CFDA 97.039)	17,842
Total due from other governments - federal grants	371,336
State	
DCA General Revenue 2007-2008 (CSFA 52.006)	22,357
DCA Title III 2007-2008 (CSFA 52.023)	20,102
DCA Four Corners (CSFA 52.033)	125,000
DCA Community Fiscal Analysis Planning Tool (CSFA 52.033)	37,500
DCA Transportation & Concurrency Man. System (CSFA 52.033)	60,000
Glades / Hendry Counties - TD - Year 18 (CSFA 55.002)	8,779
Lee County - TD - Year 18 (CSFA 55.002)	7,175
Total due from other governments - state grants	280,913
Total due from other governments - grants	$ 652,249

The grants receivable balances as of September 30, 2007 are considered by management to be fully collectible.

NOTE E - CAPITAL ASSETS ACTIVITY

The following is a summary of changes in capital assets activity for the year ended September 30, 2007:

	Balance October 1 2006	Increases/ Additions	Decreases/ Deletions	Adjustments/ Reclassifications	Balance September 30 2007
Capital Assets Not Being Depreciated:					
Land	$ 375,565	$ -	$ -	$ -	$ 375,565
Total Capital Assets Not Being Depreciated	375,565	-	-	-	375,565
Capital Assets Being Depreciated:					
Building & improvements	1,326,201	21,742	-	-	1,347,943
Furniture & fixtures	21,550	-	-	-	21,550
Equipment	217,360	31,469	(18,228)	-	230,601
Vehicles	14,292	-	-	-	14,292
Total Capital Assets Being Depreciated	1,579,403	53,211	(18,228)	-	1,614,386
Less Accumulated Depreciation:					
Building & improvements	(61,649)	(34,172)	-	-	(95,821)
Furniture & fixtures	(7,185)	(3,079)	-	-	(10,264)
Equipment	(162,573)	(31,170)	18,228	-	(175,515)
Vehicles	(14,292)	-	-	-	(14,292)
Total Accumulated Depreciation	(245,699)	(68,421)	18,228	-	(295,892)
Total Capital Assets Being Depreciated, Net	1,333,704	(15,210)	-	-	1,318,494
Capital Assets, Net	$ 1,709,269	$ (15,210)	$ -	$ -	1,694,059
				Related debt	(1,378,569)
				Net assets invested in capital assets, net of related debt	$ 315,490

NOTE E - CAPITAL ASSETS ACTIVITY, CONTINUED

Depreciation expense was charged to the following functions during the year ended September 30, 2007:

	Amount
General Government	$ 68,421
Total Depreciation Expense	$ 68,421

NOTE F - DUE TO/FROM OTHER FUNDS

Interfund receivables and payables at September 30, 2007, are as follows:

Fund	Due from other funds	Due to other funds
General Fund:		
Special Revenue Fund	$ -	$ 544,437
Total General Fund	-	544,437
Special Revenue Fund:		
General Fund	544,437	-
Total Special Revenue Fund	544,437	-
Total	$ 544,437	$ 544,437

Interfund receivables and payables were eliminated for presentation purposes in the statement of net assets for the year ended September 30, 2007.

NOTE G - DUE TO OTHER GOVERNMENTS

In October 2001, the Council entered into a contractual services agreement with the Florida Department of Community Affairs ("DCA") to administer the Lake Okeechobee Small Business Emergency Loan Program. The loan program provides temporary working capital to viable, established small businesses in communities around Lake Okeechobee that experienced adverse economic impacts as a result of the combined effects of the drought and the draw down of Lake Okeechobee water levels and that, as a result of these events, are experiencing difficulty surviving or continuing business operations.

The purpose of these loans is to facilitate business survival and support the economy of these areas.

NOTE G - DUE TO OTHER GOVERNMENTS, CONTINUED

The individual business loans are for a period of five (5) years. The loans are interest free and require no payments for the first eighteen (18) months of the term of the loan. Beginning the nineteenth (19) month, monthly principal and interest payments are required, and interest accrues on the outstanding, unpaid principal balance at 3% simple interest per annum.

Beginning July 1, 2003, upon the commencement of repayment of the loans and the collection of interest earned from short-term investments as well as interest and other penalties collected from the program borrowers, the Council was required to remit funds to the Florida Department of Community Affairs on a quarterly basis.

During the year ended September 30, 2007 the Council collected receipts of $6,026, and retained the allowable Administrative fee of $753. As of September 30, 2007, $6,780 was collected from the program borrowers and was due to DCA, which is reflected as due to other governments in these financial statements. The September 30, 2007 balance due to DCA includes $1,507 of receipts collected prior to October 1, 2006.

The Council is not directly liable and does not appear to be contingently liable for any unpaid business loans granted under the Lake Okeechobee Small Business Emergency Loan Program. Therefore, no outstanding loan balances are reflected in these financial statements at September 30, 2007.

During the year ended September 30, 2007, the Council received confirmation from DCA that it has fulfilled its obligation to collect loan balances under the Lake Okeechobee Small Business Emergency Loan Program. In October 2007, the Council paid DCA the balance due at September 30, 2007 of $6,780. This payment represents the final activity under the loan program.

NOTE H - DEFERRED REVENUE - GRANTS

Deferred grant revenue consisted of the following at September 30, 2007:

State	Amount
National Estuary Program - Charlotte County (CSFA 37.051)	$ 75,000
	$ 75,000

NOTE I - DEFERRED REVENUE - CONTRACTS

Deferred revenue related to contracts consisted of the following at September 30, 2007:

	Amount
NEP - Local	$ 830,583
MPO - Miscellaneous Local	79,623
DRIs - The Fountains	27,101
DRIs - Punta Gorda Town Center	8,804
DRIs - SIPOC	12,509
DRIs - Bryan Paul	20,315
DRIs - Babcock	4,890
DRIs - Harborview SD	15,000
DRIs - FGC Tech & Research Park	13,500
DRIs - Sunrock Groves	7,300
DRIs - Tradeport	21,460
DRIs - Gulf Shore Gardens	21,972
DRIs - Magnolia Landing - Heron's Glen	9,460
DRIs - Old Corkscrew Plantation	4,661
DRIs - Big Cypress	14,930
DRIs - Palmer Ranch MDO	15,000
DRIs - Lakewood Ranch	12,642
DRIs - Pineaire Lakes	3,748
DRIs - Ave Maria	5,421
NOPCs - Miromar Lakes	633
NOPCs - Coconut Point	701
NOPCs - Del Prado North	1,153
NOPCs - Pelican Preserve	286
NOPCs - Jetport Abandonment	516
NOPCs - Heron Creek	633
NOPCs - Lakewood Ranch Corp.	439
NOPCs - Bella Terra	1,194
NOPCs - Shell Point	1,042
NOPCs - Arborwood	2,153
NOPCs - Indian Oaks Trade Center	2,153
NOPCs - Merchants Crossing	1,459
NOPCs - Tamalico	1,302
NOPCs - Palmer Ranch XII - Palmer Park	206
NOPCs - Metro Park	1,373
NOPCs - Sandhill Sec. 7/King's Highway	2,390
NOPCs - Sandhill Health Department	2,002
NOPCs - Palmer Ranch Reanalysis	1,914
Total deferred revenue - contracts	$ 1,150,468

NOTE J - LONG-TERM LIABILITIES

The following is a summary of changes in long-term liabilities for the fiscal year ended September 30, 2007:

	Balance October 1 2006	Additions	Retirements / Adjustments	Balance September 30 2007	Amounts Due Within One Year
Note Payable	$ 1,426,529	$ -	$ (47,960)	$ 1,378,569	$ 50,756
Compensated Absences	80,795	-	(6,636)	74,159	-
	$ 1,507,324	$ -	$ (54,596)	$ 1,452,728	$ 50,756

The following is a summary of the long-term obligations at September 30, 2007:

	Amount
$1,525,000 note payable monthly to financial institution in the amount of $10,646 including interest at 5.68% to finance the purchase of an office building. The note is uncollateralized except for available general revenue. Final principal payment of $826,523 due June 1, 2016.	$ 1,378,569
Non-current portion of compensated absences. Employees of the Council are entitled to paid scheduled (vacation) leave based on length of service and job classification.	74,159
	$ 1,452,728

The annual debt service requirements at September 30, 2007, were as follows:

Year Ending September 30	Total Principal	Total Interest	Total
Note payable:			
2008	$ 50,756	$ 76,995	$ 127,751
2009	53,715	74,036	127,751
2010	56,847	70,904	127,751
2011	60,161	67,590	127,751
2012	63,669	64,082	127,751
2013-2016	1,093,421	205,435	1,298,856
Total Note Payable	1,378,569	559,042	1,937,611
Accrued compensated absences	74,159	-	74,159
Total Long-Term Debt	$ 1,452,728	$ 559,042	$ 2,011,770

NOTE J - LONG-TERM LIABILITIES, CONTINUED

Interest expense related to the note payable for the year ended September 30, 2007 was $79,791.

NOTE K - PENSION PLAN

Plan description and provisions

Substantially all Council employees are participants in the statewide Florida Retirement System (FRS) under the authority of Article X, Section 14 of the State Constitution and Florida Statutes, Chapters 112 and 121. The FRS is noncontributory and is totally administered by the State of Florida. The Council contributed 100% of the required contributions. Pension costs for the Council ranged between 9.85% and 13.12% of gross wages for the year ended September 30, 2007. The Council's contributions to the plan were $160,037, $122,376, and $104,468 for the fiscal years ended September 30, 2007, 2006, and 2005, respectively. There were no employee contributions to the plan. The Council's covered payroll for the years ended September 30, 2007, 2006, and 2005 was $1,543,914, $1,434,620, and $1,346,747, respectively.

Employees who retire at or after age 62 with 6 years of creditable service, 6 years of senior management service and age 62, 6 years of special risk service and age 55, or 30 years of service (25 years for special risk) regardless of age, are entitled to a retirement benefit, payable monthly for life, equal to 1.5% to 3.3% per year of creditable service, depending on the class of employee (regular, special risk, etc.) based on average final compensation of the five (5) highest fiscal years' compensation.

Benefits vest after six years (six years for senior management) of credited service. Vested employees may retire anytime after vesting and incur a 5% benefit reduction for each year prior to normal retirement age.

Early retirement, disability, death, and survivor benefits are also offered. Benefits are established by State Statute. The plan provides for a constant 3% cost-of-living adjustment for retirees.

The Plan also provides several other plan and/or investment options that may be elected by the employee. Each offers specific contribution and benefit options. The Plan documents should be referenced for complete detail.

NOTE K - PENSION PLAN, CONTINUED

Description of funding policy

This is a cost sharing, multi-employer plan available to governmental units within the state, and actuarial information with respect to an individual participating entity is not available. Participating employers are required, by Statute, to pay monthly contributions at actuarially determined rates that, expressed as percentages of annual covered payroll, are adequate to accumulate sufficient assets to pay benefits when due.

Plan information

A copy of the FRS's June 30, 2007 annual report can be obtained by writing to the Florida Division of Retirement, Cedars Executive Center, 2639-C North Monroe Street, Tallahassee, Florida 32399-1560, or by calling (850) 488-5706.

Other post employment benefits

The Council provides post retirement health care benefits to eligible employees. Upon retirement from the Council and becoming a recipient of monies from the State of Florida Retirement Trust Fund (FRS), eligible retired employees are qualified for continued health insurance benefits. Eligible retired employees have their medical insurance premiums paid by the Council, but are required to reimburse the Council for 100% of the premiums paid by the Council on their behalf.

NOTE L - COMMITMENTS/CONTINGENCIES

Grants

The Council is currently receiving, and has received in the past, grants which are subject to special compliance audits by the grantor agency. The grantor agency may at times disallow expenditure amounts associated with a contract based on the outcome of an audit. These amounts would constitute a contingent liability of the Council. The Council has not, as of September 30, 2007, been notified of any existing contingent liabilities related to prior grants or the grants currently in process. The Council has not had any special compliance audits conducted by grantor agencies or any disallowed costs during the year ended September 30, 2007. The management of the Council does not believe contingent liabilities, if any exist, to be material.

NOTE M - EXPENDITURES IN EXCESS OF BUDGET

Florida Statue 189.418(3) prohibits actual expenditures in excess of budgeted expenditures. We, however, noted that the Council did expend $169,287 in excess of the approved budget in the Special Revenue Fund during the year ended September 30, 2007.

NOTE N - OPERATING LEASE COMMITMENTS

Leases

The Council leases certain copiers and equipment, along with a storage unit, under agreements classified as operating leases.

Future minimum lease payments under the operating leases are as follows:

Years Ending September 30	Amount
2008	$ 36,000
2009	36,420
2010	36,420
2011	36,420
2012	27,825
	$ 173,085

For the year ended September 30, 2007, total rent expense was $37,142, consisting of equipment rent expense of $34,900 and storage unit rent expense of $2,242.

NOTE O - ECONOMIC DEPENDENCE

The Council's operations are substantially dependent on the receipt of revenue from grantor and contract agencies. Loss of these funds and/or large decreases in this type of funding would have a material effect on the financial position of the Council and a negative impact on overall operations. For the fiscal year ended September 30, 2007, approximately 77% of total revenue is attributable to funds received from grantor and contract agencies.

NOTE P - INDIRECT EXPENDITURES

Indirect expenditures allocated to the Special Revenue Fund during the year ended September 30, 2007, consist of the following:

	Amount
Personal services:	
Salaries and fringe benefits	$ 745,788
Operating expenditures:	
Professional fees	41,492
Telephone, rent, supplies, etc.	80,171
Miscellaneous and insurance	34,038
Computer supplies and graphics	34,081
Professional development/meetings	4,116
Travel	9,152
Postage	10,801
Printing/reproduction	526
Advertising	572
Publications	1,381
Utilities	24,424
Total operating expenditures	240,754
Capital outlay	34,681
Debt service	127,751
Total indirect expenditures	$ 1,148,974

NOTE Q - IMPLEMENTATION OF GASB STATEMENT NO. 45

The Governmental Accounting Standards Board has issued Statement No. 45, "Accounting and Financial Reporting by Employers for Post-Employment Benefits Other Than Pensions." This Statement will change the manner in which a governmental entity funds and records its post retirement benefit costs other than pension. Specifically, governments will have to actuarially accrue and fund costs rather than fund them on a pay-as-you-go basis, as is currently the method used. This Statement may have a significant effect on the Council's annual budget. The Statement is effective for the year ended September 30, 2008. The Council intends to implement this Statement at that time.

NOTE R - SUBSEQUENT EVENT

Subsequent to the year ended September 30, 2007, the State Board of Administration (SBA) encountered an issue with sub-prime mortgages and had a state-wide run on its assets. At this time, the SBA restricted a portion of funds, known as SBA "B" shares, from each participating government. The restricted funds cannot be withdrawn, but will eventually be released from restriction over time.

As of February 29, 2008, $51,902 of the Council's total SBA funds of $507,820 were held in SBA "B" shares and considered illiquid. It is the belief of the SBA that the remaining balance may, in whole or in part, be recovered. However, it may not be available for up to one year. No loss of principal has been recorded at September 30, 2007, as no loss amount, if any, is determinable.

REQUIRED SUPPLEMENTARY INFORMATION OTHER THAN MD&A

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND - SUMMARY STATEMENT
Year Ended September 30, 2007

	General Fund			
REVENUES	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
Federal and state grants	$ -	$ -	$ -	$ -
Contracts and local grants	-	-	-	-
County and city assessments	431,470	431,470	431,470	-
DRI fees	-	-	-	-
DRI monitoring fees	-	-	-	-
Interest and miscellaneous	37,000	37,000	44,522	7,522
TOTAL REVENUES	468,470	468,470	475,992	7,522
EXPENDITURES				
Current				
Personal services	1,080,000	1,175,000	334,972	840,028
Operating expenditures	542,000	407,000	45,508	361,492
Capital outlay	190,000	50,000	-	50,000
Debt service				
Principal retirement	48,000	48,000	-	48,000
Interest and fiscal charges	80,000	80,000	-	80,000
TOTAL EXPENDITURES	1,940,000	1,760,000	380,480	1,379,520
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(1,471,530)	(1,291,530)	95,512	1,387,042
OTHER FINANCING SOURCES (USES)				
Operating transfers in	1,471,530	1,571,530	77,366	(1,494,164)
Operating transfers out	-	-	-	-
TOTAL OTHER FINANCING SOURCES (USES)	1,471,530	1,571,530	77,366	(1,494,164)
EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES	-	280,000	172,878	(107,122)
FUND BALANCE, October 1, 2006	-	-	392,965	392,965
FUND BALANCE, September 30, 2007	$ -	$ 280,000	$ 565,843	$ 285,843

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND - DETAILED STATEMENT
Year Ended September 30, 2007

	General Fund			
REVENUES	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
Federal and state grants	$ -	$ -	$ -	$ -
Contracts and local grants	-	-	-	-
County and city assessments	431,470	431,470	431,470	-
DRI fees	-	-	-	-
DRI monitoring fees	-	-	-	-
Interest and miscellaneous	37,000	37,000	44,522	7,522
TOTAL REVENUES	468,470	468,470	475,992	7,522
EXPENDITURES				
Current				
Personal services				
Salaries	650,000	650,000	631,113	18,887
Fringe benefits:	.	.		
FICA	120,000	120,000	115,139	4,861
Retirement	125,000	165,000	160,037	4,963
Health Insurance	170,000	225,000	166,521	58,479
Workers Compensation/unemployment	15,000	15,000	7,950	7,050
Allocation of indirect expenditures	-	-	(745,788)	745,788
Total personal services	1,080,000	1,175,000	334,972	840,028
Operating expenditures				
Professional fees:				
Legal fees	10,000	4,000	185	3,815
Consultant fees	90,000	15,000	8,200	6,800
Audit fees	45,000	45,000	39,000	6,000
Telephone, rent, supplies, etc:				
Office supplies	18,000	18,000	15,375	2,625
Equipment rental	45,000	45,000	34,900	10,100
Storage unit rental	3,000	3,000	1,492	1,508
Repairs and maintenance	40,000	40,000	19,972	20,028
Telephone	13,000	13,000	8,543	4,457
Miscellaneous and insurance:				
Insurance	33,000	33,000	33,093	(93)
Other miscellaneous	3,000	3,000	1,044	1,956
Computer supplies and graphics	40,000	40,000	34,348	5,652
Professional development/meetings:				
Professional development/dues	25,000	25,000	21,938	3,062
Meetings/events	55,000	55,000	12,946	42,054
Travel	35,000	5,000	15,864	(10,864)

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND - DETAILED STATEMENT, CONTINUED
Year Ended September 30, 2007

	General Fund			
Operating expenditures (continued)	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
Postage	19,000	19,000	11,556	7,444
Printing/reproduction	26,000	6,000	1,252	4,748
Utilities	30,000	30,000	24,425	5,575
Advertising	3,000	3,000	747	2,253
Publications	9,000	5,000	1,382	3,618
NEP grant expenses	-	-	-	-
MPO grant expenses	-	-	-	-
Allocation of indirect expenditures	-	-	(240,754)	240,754
Total operating expenditures	542,000	407,000	45,508	361,492
Capital outlay				
Capital purchases	190,000	50,000	34,681	15,319
Allocation of indirect expenditures	-	-	(34,681)	34,681
Total capital outlay	190,000	50,000	-	50,000
Debt service				
Principal retirement	48,000	48,000	47,960	40
Interest and fiscal charges	80,000	80,000	79,791	209
Allocation of indirect expenditures	-	-	(127,751)	127,751
Total debt service	128,000	128,000	-	128,000
TOTAL EXPENDITURES	1,940,000	1,760,000	380,480	1,379,520
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(1,471,530)	(1,291,530)	95,512	1,387,042
OTHER FINANCING SOURCES (USES)				
Operating transfers in	1,471,530	1,571,530	77,366	(1,494,164)
Operating transfers out	-	-	-	-
TOTAL OTHER FINANCING SOURCES (USES)	1,471,530	1,571,530	77,366	(1,494,164)
EXCESS OF REVENUES & OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES & OTHER FINANCING USES	-	280,000	172,878	(107,122)
FUND BALANCE, October 1, 2006	-	-	392,965	392,965
FUND BALANCE, September 30, 2007	$ -	$ 280,000	$ 565,843	$ 285,843

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - SPECIAL REVENUE FUND - SUMMARY STATEMENT
Year Ended September 30, 2007

	Special Revenue Fund			
REVENUES	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
Federal and state grants	$ 4,020,891	$ 4,020,891	$ 2,727,828	$ (1,293,063)
Contracts and local grants	239,966	239,966	61,112	(178,854)
County and city assessments	-	-	-	-
DRI fees	200,000	200,000	347,790	147,790
DRI monitoring fees	9,000	9,000	8,250	(750)
Interest and miscellaneous	-	-	-	-
TOTAL REVENUES	4,469,857	4,469,857	3,144,980	(1,324,877)
EXPENDITURES				
Current				
Personal services	1,137,293	1,137,293	1,671,824	(534,531)
Operating expenditures	1,854,034	1,744,734	1,214,828	529,906
Capital outlay	7,000	16,300	53,211	(36,911)
Debt service				
Principal retirement	-	-	47,960	(47,960)
Interest and fiscal charges	-	-	79,791	(79,791)
TOTAL EXPENDITURES	2,998,327	2,898,327	3,067,614	(169,287)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	1,471,530	1,571,530	77,366	(1,494,164)
OTHER FINANCING SOURCES (USES)				
Operating transfers in	-	-	-	-
Operating transfers out	(1,471,530)	(1,571,530)	(77,366)	1,494,164
TOTAL OTHER FINANCING SOURCES (USES)	(1,471,530)	(1,571,530)	(77,366)	1,494,164
EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES	-	-	-	-
FUND BALANCE, October 1, 2006	-	-	-	-
FUND BALANCE, September 30, 2007	$ -	$ -	$ -	$ -

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - SPECIAL REVENUE FUND - DETAILED STATEMENT
Year Ended September 30, 2007

	Special Revenue Fund			
REVENUES	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
Federal and state grants	$ 4,020,891	$ 4,020,891	$ 2,727,828	$ (1,293,063)
Contracts and local grants	239,966	239,966	61,112	(178,854)
County and city assessments	-	-	-	-
DRI fees	200,000	200,000	347,790	147,790
DRI monitoring fees	9,000	9,000	8,250	(750)
Interest and miscellaneous	-	-	-	-
TOTAL REVENUES	4,469,857	4,469,857	3,144,980	(1,324,877)
EXPENDITURES				
Current				
Personal services				
Salaries	1,137,293	1,137,293	926,036	211,257
Fringe benefits:	.	.		
FICA	-	-	-	-
Retirement	-	-	-	-
Health Insurance	-	-	-	-
Workers Compensation/unemployment	-	-	-	-
Allocation of indirect expenditures	-	-	745,788	(745,788)
Total personal services	1,137,293	1,137,293	1,671,824	(534,531)
Operating expenditures				
Professional fees:				
Legal fees	-	-	-	-
Consultant fees	210,000	44,000	56,517	(12,517)
Audit fees	-	-	-	-
Telephone, rent, supplies, etc:				
Office supplies	10,805	15,805	7,908	7,897
Equipment rental	-	-	-	-
Storage unit rental	700	700	750	(50)
Repairs and maintenance	-	-	-	-
Telephone	3,700	6,200	3,315	2,885
Miscellaneous and insurance:				
Insurance	-	100	-	100
Other miscellaneous	7,050	6,950	-	6,950
Computer supplies and graphics	17,500	17,500	5,227	12,273
Professional development/meetings:				
Professional development/dues	19,400	19,400	12,604	6,796
Meetings/events	47,500	13,500	31,793	(18,293)
Travel	57,860	57,860	35,210	22,650

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - SPECIAL REVENUE FUND - DETAILED STATEMENT, CONTINUED
Year Ended September 30, 2007

	Special Revenue Fund			
Operating expenditures (continued)	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
Postage	21,000	21,000	9,536	11,464
Printing/reproduction	58,000	59,500	39,900	19,600
Utilities	-	-	-	-
Advertising	7,000	7,000	6,193	807
Publications	500	1,800	1,207	593
NEP grant expenses	1,258,094	1,250,494	554,945	695,549
MPO grant expenses	134,925	222,925	208,969	13,956
Allocation of indirect expenditures	-	-	240,754	(240,754)
Total operating expenditures	1,854,034	1,744,734	1,214,828	529,906
Capital outlay				
Capital purchases	7,000	16,300	18,530	(2,230)
Allocation of indirect expenditures	-	-	34,681	(34,681)
Total capital outlay	7,000	16,300	53,211	(36,911)
Debt service				
Principal retirement	-	-	-	-
Interest and fiscal charges	-	-	-	-
Allocation of indirect expenditures	-	-	127,751	(127,751)
Total debt service	-	-	127,751	(127,751)
TOTAL EXPENDITURES	2,998,327	2,898,327	3,067,614	(169,287)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	1,471,530	1,571,530	77,366	(1,494,164)
OTHER FINANCING SOURCES (USES)				
Operating transfers in	-	-	-	-
Operating transfers out	(1,471,530)	(1,571,530)	(77,366)	1,494,164
TOTAL OTHER FINANCING SOURCES (USES)	(1,471,530)	(1,571,530)	(77,366)	1,494,164
EXCESS OF REVENUES & OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES & OTHER FINANCING USES	-	-	-	-
FUND BALANCE, October 1, 2006	-	-	-	-
FUND BALANCE, September 30, 2007	$ -	$ -	$ -	$ -

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE
Year ended September 30, 2007

Grantor Agency/Program Title	Federal CFDA/ Number		Grantor's Number	Program or Award Amount	Revenue		Disbursements/ Expense
FEDERAL AGENCY							
Environmental Protection Agency							
National Estuary Program - Charlotte Harbor and Lee County Growth Management Regulation	66.456	*	CE-97456002-6	$ 2,824,390	$ 584,060		$ 584,060
National Estuary Program - Charlotte Harbor	66.456	*	CE-96457406-2	925,600	762,466	(1)	762,466
				3,749,990	1,346,526		1,346,526
Federal Highway Administration/US DOT							
Passed through Florida Department of Transportation							
FDOT-PL Sec. 112-MPO-07-08 Contract from 7/1/07 to 6/30/08	20.205	*	PL-0261(45)-4142326-1-14-01	246,852	139,207	(2)	139,207
FDOT-PL Sec. 112-MPO-06-07 Contract from 7/1/06 to 6/30/07	20.205	*	PL-0261(44)-412416-1-14-01	748,700	393,874		393,874
FTA Section 5303 (Passed through from MPO)	20.505		205111-1-14-16 / AN562	144,412	130,109		130,109
				1,139,964	663,190		663,190
U.S. Department of Transportation							
Passed through Florida Department of Community Affairs Division of Emergency Management							
Hazardous Materials Emergency Preparedness Planning & Training	20.703		07-DT-5Z-13-00-21-232	37,239	37,239		39,698
				37,239	37,239		39,698
U.S. Department of Commerce							
Economic Development Contract from 4/1/07 to 3/31/08	11.302		04-83-05748	39,750	39,750		56,771
				39,750	39,750		56,771
U.S. Department of Housing and Urban Development							
Passed through Florida Department of Community Affairs							
Florida Small Cities Community Development Block Grant - Housing Conditions and Needs Study of LaBelle	14.228		06-DB-3F-12-00-22-006	30,000	11,557		2,708
				30,000	11,557		2,708
Department of Homeland Security							
Passed through Florida Department of Community Affairs Division of Emergency Management Passed through Northeast Florida Regional Planning Council							
Hazard Mitigation - Florida Regional Evacuation Study	97.039		07-HS-32-13-00-21-355	138,000	85,893	(3)	85,893
Emergency Preparedness - LSA Assessment Program	97.067		07-DS-5N-12-00-21-127	6,450	6,450		7,282
				144,450	92,343		93,175
	TOTAL FEDERAL FINANCIAL AWARDS			5,141,393	2,190,605		2,202,068

* Designates Type A Major Grant Project

(1) Includes receivable of $214,287
(2) Includes receivable of $139,207
(3) Includes receivable of $17,842

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE, CONTINUED
Year ended September 30, 2007

Grantor Agency/Program Title	State CSFA Number		Grantor's Number	Program or Award Amount	Receipts/ Revenue		Disbursements/ Expense
STATE OF FLORIDA							
Department of Community Affairs							
DCA General Revenue 2006-2007	52.006	*	07-DR-81-13-00-21-009	309,464	223,667		224,650
DCA General Revenue 2007-2008	52.006	*	08-DR-95-13-00-21-009	326,282	22,357	(4)	22,357
				635,746	246,024		247,007
DCA Title III / Division of Emergency Management 2006-2007	52.023		07-CP-11-13-00-21-082	40,909	10,381		16,974
DCA Title III / Division of Emergency Management 2007-2008	52.023		08-CP-04-13-00-21-129	40,909	20,102	(5)	20,102
				81,818	30,483		37,076
DCA SB360 Implementation - Four Corners Study	52.033		07-DR-78-13-00-21-053	125,000	125,000	(6)	45,275
				125,000	125,000		45,275
Passed through Tampa Bay Regional Planning Counci							
SB 360 Implementation, Community Fiscal Analysis Planning Tool, CIE Training	52.033		07-DR-78-13-00-21-012	37,500	13,543	(7)	13,543
				37,500	13,543		13,543
Passed through Central Florida Regional Planning Counci							
SB 360 Implementation, Transportation Assessment anc Concurrency Management System	52.033		07-DR-78-13-00-21-056	60,000	60,000	(8)	2,777
				60,000	60,000		2,777
Florida Department of Environmental Protection							
Ecosystem Management and Restoration Trust Fund Charlotte Harbor National Estuary Program Support	37.051		SO157	225,000	-	(9)	-
				225,000	-		-
Florida Department of Transportation							
Passed through the Commission for the Transportation Disadvantaged							
Glades/Hendry Counties - TD - Year 18	55.002		AOR79	35,114	8,779	(10)	3,326
Lee County - TD - Year 18	55.002		AOR91	28,701	7,175	(11)	2,239
				63,815	15,954		5,565
Passed through the Commission for the Transportation Disadvantaged							
Glades/Hendry Counties - TD - Year 17	55.002		AOF92	34,092	25,569		24,374
Lee County - TD - Year 17	55.002		AOG14	27,532	20,650		21,687
				61,624	46,219		46,061
			TOTAL STATE FINANCIAL AWARDS	1,290,503	537,223		397,304
			'TOTAL FEDERAL AND STATE FINANCIAL AWARDS	$ 6,431,896	$ 2,727,828		$ 2,599,372

*Designates Type A Major Grant Project

(4) Includes receivable of $22,357
(5) Includes receivable of $20,102
(6) Includes receivable of $125,000
(7) Includes receivable of $37,500, comprised of a prior year receivable of $23,957 and a current year balance of $13,543
(8) Includes receivable of $60,000
(9) Excludes deferred revenue of $75,000
(10) Includes receivable of $8,779
(11) Includes receivable of $7,175

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE
September 30, 2007

NOTE A - BASIS OF PRESENTATION

The Schedule of Expenditures of Federal Awards and State Financial Assistance has been prepared on an accrual basis of accounting in conformity with accounting principles generally accepted in the United States of America and is in accordance with the provisions of OMB Circular A-133, the Florida Single Audit Act (FS, 215.97), and the State of Florida Rules of the Auditor General 10.650.

Expenditures reported on the Schedule of Expenditures of Federal Awards and State Financial Assistance include cash disbursements, whether capitalized or expensed, during the fiscal year as well as grant related amounts recorded as payable at year end. Revenues reported on the Schedule of Expenditures of Federal Awards and State Financial Assistance include cash receipts, whether recognized or deferred, as well as grant receivables recorded at year end.

NOTE B - INDIRECT COSTS

The Council did routinely allocate costs to Federal Awards and State Financial Assistance programs. Costs charged to such programs were direct costs unless specifically incurred for the program and allowed and indicated as such. Indirect costs are allocated to the functions and programs based upon various methods which reflect appropriate cost, usage and/or benefit by the function and program.

ADDITIONAL REPORTS OF INDEPENDENT AUDITOR

TUSCAN
& Company, PA
Certified Public Accountants & Consultants

Affiliations

Florida Institute of Certified Public Accountants
American Institute of Certified Public Accountants
Private Companies Practice Section
Tax Division

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF BASIC FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Executive Committee and Council Members
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

We have audited the basic financial statements of Southwest Florida Regional Planning Council ("the Council") as of and for the year ended September 30, 2007, and have issued our report thereon dated March 4, 2008. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Southwest Florida Regional Planning Council's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the basic financial statements, but not for the purpose of expressing an opinion on the effectiveness of Southwest Florida Regional Planning Council's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of Southwest Florida Regional Planning Council's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affect the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of Southwest Florida Regional Planning Council's financial statements that is more than inconsequential will not be prevented or detected by Southwest Florida Regional Planning Council's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the basic financial statements will not be prevented or detected by the entity's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section would not necessarily identify all deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Southwest Florida Regional Planning Council's basic financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of basic financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed certain instances of noncompliance that are required to be reported under Government Auditing Standards, and are included in our Report to Management dated March 4, 2008.

This report is intended solely for the information and use of the Executive Committee and Council Members, management, the Auditor General of the State of Florida and other federal and state agencies. This report is not intended to be used, and should not be used, by anyone other than these specified parties.

Tuscan & Company, P.A.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
March 4, 2008

TUSCAN
& Company, PA
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Affiliations

Florida Institute of Certified Public Accountants
American Institute of Certified Public Accountants
Private Companies Practice Section
Tax Division

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR PROGRAM AND INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133 AND THE FLORIDA SINGLE AUDIT ACT (FLORIDA STATUTE 215.97)

Executive Committee and Council Members
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

Compliance

We have audited the compliance of Southwest Florida Regional Planning Council with the types of compliance requirements described in the "U.S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement" and in the "State Projects Compliance Supplement" that are applicable to each of its major programs for the year ended September 30, 2007. Southwest Florida Regional Planning Council's major federal programs and major state projects are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to its major programs are the responsibility of Southwest Florida Regional Planning Council's management. Our responsibility is to express an opinion on Southwest Florida Regional Planning Council's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," the Florida Single Audit Act (Florida Statute 215.97) and the State of Florida, Rules of the Auditor General 10.550. Those Standards, OMB Circular A-133, the Florida Single Audit Act (Florida Statute 215.97), and the State of Florida, Rules of the Auditor General 10.550 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program or a major state project occurred. An audit includes examining, on a test basis, evidence about Southwest Florida Regional Planning Council's compliance with those requirements and performing such other

procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on Southwest Florida Regional Planning Council's compliance with those requirements.

In our opinion, Southwest Florida Regional Planning Council complied, in all material respects, with the requirements referred to above that are applicable to its major federal programs and its major state projects for the year ended September 30, 2007.

Internal Control Over Compliance

The management of Southwest Florida Regional Planning Council is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts and grants applicable to federal programs and state projects. In planning and performing our audit, we considered Southwest Florida Regional Planning Council's internal control over compliance with the requirements that could have a direct and material effect on a major federal program or a state project in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Southwest Florida Regional Planning Council's internal control over compliance.

A control deficiency in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program or state project on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program or state project such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program or state project that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program or state project will not be prevented or detected by the entity's internal control.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of the Executive Committee, Council Members, management, the Auditor General of the State of Florida, federal and state awarding agencies, pass-through entities, and other federal and state audit agencies. However, this report is not intended to be, and should not be, used by anyone other than these specified parties.

Tuscan & Company, P.A.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
March 4, 2008

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SCHEDULE OF FINDINGS AND QUESTIONED
COSTS - FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE
Year ended September 30, 2007

Section I – Summary of Auditor's Results

Financial Statements

Type of auditor's report issued:	Unqualified			
Internal control over financial reporting:				
Control deficiency(ies) identified?		Yes	X	No
Significant deficiency(ies) identified?		Yes	X	No
Material weakness(es) identified?		Yes	X	None reported
Noncompliance material to financial statements noted?	X	Yes		No

Federal Awards

Internal control over major programs:				
Control deficiency(ies) identified?		Yes	X	No
Significant deficiency(ies) identified?		Yes	X	No
Material weakness(es) identified?		Yes	X	None reported
Type of auditors report issued on compliance for major programs:	Unqualified			
Any audit findings disclosed that are required to be reported in accordance with Circular A-133, Section 510(a)?		Yes	X	No

Identification of major programs (Type A):

CFDA Number(s)	Name of Federal Program or Cluster
66.456	Environmental Protection Agency - Charlotte Harbor NEP
20.205	Federal Highway Administration - FDOT MPO

Dollar threshold used to distinguish between Type A and Type B programs	Threshold used was $300,000.			
Auditee qualified as low-risk auditee?	X	Yes		No
Listing of Subrecipients and amounts passed-through:	There were no subgrantees.			

SCHEDULE OF FINDINGS AND QUESTIONED
COSTS - FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE, CONTINUED
Year ended September 30, 2007

State Financial Assistance

Internal control over major projects:				
Control deficiency(ies) identified?	_____	Yes	X	No
Significant deficiency(ies) identified?	_____	Yes	X	No
Material weakness(es) identified?	_____	Yes	X	None reported
Type of auditors report issued on compliance for major programs	Unqualified			
Any audit findings disclosed that are required to be reported in accordance with Rules of the Auditor General 10.554(1)(l)?	_____	Yes	X	No

Identification of major programs (Type A):

CSFA Number(s)	Name of State Program or Cluster
52.006	State of Florida, Department of Community Affairs DCA General Revenue

Dollar threshold used to distinguish between major and nonmajor projects? Threshold used was $119,191.

Listing of Subrecipients and amounts passed-through: There were no subgrantees.

Section II- Financial Statement Findings
There were no reportable conditions, material weaknesses, or instances of material noncompliance related to the financial statements, except as noted.

Section III- Federal Award Findings and State Financial Assistance and Questioned Costs
There were no audit findings related to federal awards required to be reported by Circular A-133, Section 510(a).

There were no audit findings related to state financial assistance required to be reported by Rules of the Auditor General 10.554(1)(l).

Status of Federal and/or State Prior Year Findings
There were no prior year findings.

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Tax Division

INDEPENDENT AUDITOR'S REPORT TO MANAGEMENT

Executive Committee and Council Members
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

We have audited the basic financial statements of Southwest Florida Regional Planning Council (the "Council") as of and for the fiscal year ended September 30, 2007, and have issued our report thereon dated March 4, 2008. In connection with our audit, we are submitting the following comments and recommendations in accordance with Chapter 10.550 "Rules of the Auditor General - Local Governmental Entity Audits" (Revised September 30, 2007) Rule 10.557(3) and Section 218.39(4), of the Florida Statutes.

PRIOR YEAR COMMENTS THAT CONTINUE TO APPLY:

Note: Prior year comments not repeated appear to have been addressed and/or resolved.

1. The Council Should Consider Increasing its Total Fund Balance

   During the audit, we noted that total fund balance decreased by approximately $180,000 during the year ended September 30, 2005. We also noted that the current fund balance is approximately 8% of the Council's annual budget.

   We continue to recommend that the Council analyze means of increasing its unrestricted revenue and its unreserved fund balance. It should be noted that approximately 86% of current revenue is restricted. Fund balance targets should initially be approximately six (6) months operating budget.

   Fiscal Year 2006 Addendum

   During the audit, we noted that total fund balance decreased by approximately $11,000 during the year ended September 30, 2006. We also noted that the current fund balance is approximately 8% of the Council's annual budget.

12621 World Plaza Lane, Building 55 • Fort Myers, FL 33907 • Phone: (239) 3332090 • Fax: (239) 3332097

1. The Council Should Consider Increasing its Total Fund Balance, Continued

Fiscal Year 2006 Addendum, continued

We continue to recommend that the Council analyze means of increasing its unrestricted revenue and its unreserved fund balance. It should be noted that approximately 87% of current revenue is restricted. Fund balance targets should initially be approximately six (6) months operating budget.

Current Year Addendum

During the audit, we noted that total fund balance increased by approximately $173,000 during the year ended September 30, 2007. However, we also noted that the current fund balance is approximately 12% of the Council's fiscal year 2007 final budget.

We continue to recommend that the Council analyze means of increasing its unrestricted revenue and its unreserved fund balance. It should be noted that approximately 87% of current revenue is restricted. Fund balance targets should initially be approximately three (3) to six (6) months operating budget.

2. Reporting to Grantor Agencies Should be Strengthened

As part of our testing of major grant programs, we requested various reports submitted to grantor agencies to test timely reporting. Based on our review of the National Estuary Program (NEP) - Charlotte Harbor grant, the Council is required to submit an EPA form 5700-52A to the Grants Management Office within 30 days of the end of each fiscal quarter. We noted that three of the four aforementioned quarterly reports for fiscal year 2005 were not submitted in a timely fashion.

Based on our review of the DCA General Revenue grant, the Council is required to submit a Program Performance Report within 30 days of the end of each fiscal quarter. We examined two of the quarterly reports to test timely submission. We noted that one of the reports in our sample selection was not submitted in a timely fashion.

We recommend that the Council carefully review all reporting requirements mandated by grantor agencies to ensure timely and accurate submissions.

Fiscal Year 2006 Addendum

As part of our testing of major grant programs, we requested fourteen (14) reports submitted to grantor agencies to test timely reporting. Based on our review of the grant agreements and their related reporting due dates, we noted one (1) contract close-out report that was not submitted in a timely fashion.

2. Reporting to Grantor Agencies Should be Strengthened, Continued

Fiscal Year 2006 Addendum, continued

According to the grant agreement, the close-out report was due 60 days after termination of the agreement or upon completion of the activities contained in the agreement, whichever occurred first. We noted during our review of the close-out report that it was not submitted until one hundred sixteen (116) days after the agreement termination date.

We continue to recommend that the Council carefully review all reporting requirements mandated by grantor agencies to ensure timely and accurate submissions.

Current Year Addendum

As part of our testing of major grant programs, we requested fourteen (14) reports submitted to grantor agencies to test timely reporting. Based on our review of the grant agreements and their related reporting due dates, we noted one (1) report that was not submitted in a timely fashion.

Specifically, for the National Estuary Program (NEP) - Charlotte Harbor grant, the Council is required to submit an EPA form 5700-52A to the Grants Management Office within 30 days of the end of each fiscal quarter. We noted that one of the four aforementioned quarterly reports for fiscal year 2007 was submitted one day late.

We continue to recommend that the Council carefully review all reporting requirements mandated by grantor agencies to ensure timely and accurate submissions.

CURRENT YEAR COMMENTS:

1. Capital Asset Disposals Should be Approved by Governing Board

During the audit, we noted that various capital assets were disposed of by the Council during fiscal year 2007 without prior approval by the governing board, which is not permitted by Florida Statute 274.07 and Department of Financial Services Rule 69I-73.005(2)(b).

We recommend that management obtain approval by the governing board prior to the sale or disposition of any capital assets and document the Board approval in the meeting minutes.

2. Council Should Perform a Physical Inventory of Capital Assets

During the audit, we noted that the Council did not take a physical inventory of its capital assets. According to Department of Financial Services Rule 69I-73.006(1), a governmental unit shall ensure a complete physical inventory of all property is taken annually and whenever there is a change of custodian or change of custodian's delegate.

2. Council Should Perform a Physical Inventory of Capital Assets, Continued

We recommend that Council management ensure adherence to Rules 69I-73.001 through 69I-73.006 on tangible personal property owned by a local government.

3. Adherence to Travel Policy Should be Strengthened

During the audit, we tested ten (10) travel disbursements for compliance with the Council's travel policy and Florida Statute (FS) 112.061. As such, we noted that two (2) of the ten (10) disbursements tested did not adhere to all of the provisions of Florida Statute 112.061.

One traveler was reimbursed by the Council for two meals totaling $25 that should not have been allowed under Florida Statute 112.061 based on the departure and arrival times as listed on the travel form.

Another traveler appears to have been reimbursed by the Council $5 in excess of allowable amounts as follows: traveler was reimbursed $24 for meals that should not have been allowed under FS 112.061 based on departure times and continental breakfasts being provided at the conference. However, we did also note that this traveler did not request reimbursement for one $19 dinner that the traveler appears entitled to based on the departure and arrival times as listed on the travel form.

We recommend that all travel forms be reviewed prior to reimbursement for adherence to Florida Statute 112.061 based on the traveler's respective departure and arrival times. We also recommend that management remind Council employees that meal reimbursements cannot be requested if a continental breakfast or lunch is provided when attending a conference.

4. Copy of Budget Should be Sent to Clerk of Each Member Government

During our compliance testing, we noted that the Council did not send a certified copy of the annual budget to the Clerk of Courts of its respective six (6) member counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota as required by Chapter 29I-1.007(1) of the Florida Administrative Code.

We recommend that Council management carefully review and adhere to all the required filings required by state and local law.

5. Expenditures in Excess of Budget - Special Revenue Fund

Florida Statue 189.418(3) prohibits actual expenditures in excess of budgeted expenditures. We, however, noted that the Council did expend $169,287 in excess of the approved budget in the Special Revenue Fund during the year ended September 30, 2007.

We recommend that the Council carefully monitor cumulative expenditures in each fund during the fiscal year and routinely compare them to the respective fund's annual budget. Budget amendments should be proposed if actual expenditures are expected to exceed budgeted expenditures.

We have included in this letter all comments which came to our attention during the course of our audit regarding Items 1 through 7, as applicable, of the "Rules of the Auditor General-Local Governmental Entity Audits," Rule 10.554, Section (1)(i). In regards to Item 2, we represent that the Council has complied with Florida Statute 218.415 regarding investment of public funds. In regard to Item 6(a), this item is not applicable to the Council. In regard to item 7(c)(1), this item is not applicable to the Council. In regard to Item 7(b), we represent that the financial report filed with the Department of Financial Services, pursuant to Florida Statute 218.32(1)(a), is in agreement with the annual financial audit report for the same period.

This report is intended solely for the information and use of the executive Committee, Council Members, management, the Auditor General of the State of Florida, federal and state awarding agencies, pass-through entities, and other federal and state audit agencies. However, this report is not intended to be, and should not be, used by anyone other than these specified parties.

Tuscan & Company, P.A.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
March 4, 2008

EXHIBIT

Southwest Florida Regional Planning Council
1926 Victoria Avenue, Fort Myers, Florida 33901-3414
(239)338-2550 FAX (239)338-2560 SUNCOM (239)748-2550

March 22, 2008

Tuscan and Company, P.A.
12621 World Plaza Lane., Building 55
Fort Myers, Florida 33907

The records for the Southwest Florida Regional Planning Council, fiscal year 07, ending September 30, 2007 have been audited by your firm. This correspondence is our response to your management letter, as it relates to your comments and recommendations.

PRIOR YEAR COMMENTS THAT CONTINUE TO APPLY

1). The Council Should Consider Increasing its Total Fund Balance.
Response: As stated in prior management responses, the Fiscal and Operations Managers continue to reach the goal of approximately six (6) month operating budget reserve, as recommended. The Council was able to add an additional $159,600.00 into the reserve account at FY07 year end. As of this date, approximately three months (3) of revenue has been reserved. We will continue to evaluate resources at year end to reach the total recommended goal of six (6) months operating reserve.

2). Reporting to Grantor Agencies Should be Strengthened
Response: As stated in prior management response, the staff instituted a procedure of a "reminder" to ensure reporting to be transmitted to recipient agencies on time. The one (1) report that was not submitted in a timely fashion was submitted one day late. In order to prevent this reoccurrence, additional staff is assisting with grant compliance, as well as utilizing the calendar "reminder".

CURRENT YEAR COMMENTS

1). Capital Assets Disposals Should be Approved by Governing Board
Response: As recommended, approval by the Council will be obtained prior to any sale or disposition of any capital assets, and documented by the Council meeting minutes. Staff has established a Computer Disposal Policy, effective December 14, 2007, stating the Network Administrator will provide the Executive Director a list of surplus equipment, approved by the Director, and placed on Council's Agenda under Administrative Issues, for approval.

2). Council Should Perform a Physical Inventory of Capital Assets
Response: Physical inventory was done of computer equipment, the majority of the fixed assets. A complete list of inventory has been assigned to a staff member to perform a complete physical inventory of all property, to ensure adherence to Rules 69I-73.001 through 69I-73.006.

3). Adherence to Travel Policy Should be Strengthened
Response: As recommended, a staff meeting was held to remind employees of the allowable cost reimbursement related to travel as outlined in Florida Statute (FS) 112.061. Travel voucher form includes guidelines for requesting reimbursement of PER DIEM AND MEALS. Voucher for reimbursement of travel expense will be reviewed for accuracy by project managers and then submitted for processing.

4). Copy of Budget Should be sent to Clerk of Each Member Government
Response: Upon approval of the annual budget by the Council, a certified copy will be sent to the Clerk of each member government, as required.

5). Expenditures in Excess of Budget-Special Revenue Fund
Response: Current budget and future budgets will include a line item for re-allocation of Fringe and Indirect rates from general to special revenue to correct this from reoccurring. As recommended, budget amendments will be presented to Council as needed.

Sincerely,

Southwest Florida Regional Planning Council

Ken Heatherington,
Executive Director

_____Agenda
_____Item

5c

SWFRPC Annual Budget

5c

5c

Agenda Item #

ANNUAL BUDGET FY 2008/2009

In accordance with the Council's rules, the annual budget recommendations for the fiscal year beginning October 1, 2008 and ending September 30, 2009, are hereby presented for Council consideration.

The Budget is being presented as part of a 5 year plan as per the recommendation of the Auditors. The Budget reflects the distribution between the three main entities - The RPC, MPO, and NEP. Also included are the Calculation of the Indirect/Fringe Rates and the Capital Assets policies for your information.

RPC revenues and expenditures are consistent and reflect a realistic appraisal of ongoing and forecasted activities. Expenditure programs include various local plan review activities, monitoring and reviewing DRIs, continued reimbursable support for MPO and the CHNEP, the transportation disadvantaged programs, and updating the Regional Plan.
As submitted by the Program Managers, the CHNEP budget reflects a 8% increase over last year and the MPO budget reflects a 18% decrease from the prior year.

Please take note that review and adoption of the Annual Budget must be completed by August 15th of each year according to the Interlocal Agreement of the SWFRPC.

ANNUAL BUDGET CONTENTS

	Pages
Sources of Revenue	1
Proposed Budget for the upcoming fiscal year only	2
Comparsion of fiscal years - for RPC, MPO, NEP, and Combined: 3 prior years actual, YTD and adopted current budget, proposed budget As requested, a line has been added to reflect/anticipate net income or loss.	3 to 6
Comparsion of fiscal years - in a five year format: Adopted current budget, proposed budget as part of a five year plan	7 to 10
Facts to be noted for this Annual Budget includes: Pertinent notes, Reserved FB status, and a comparsion of fringe and indirect rates for the purposed, current, and past 4 years.	11
Graphs: Pie Chart to reflect distribution/percentage of the 3 main entities Pie Chart to reflect distribution of revenue Bar Chart reflecting expenses in the comparsion of Actual/YTD/Budgeted	12
Pie charts - Comparsion of this fiscal year to next year for the 3 entities	13
Calculation of the Indirect/Fringe Rates Policy	14
Capital Assets Policy	15
Capital Asset Disposal - Computer Disposal Policy	16

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

REVENUE SOURCES

October 1, 2008 through September 30, 2009

GENERAL REVENUES		SPECIAL REVENUES	
INTEREST	30,000	FED/STATE/OTHER	2,944,854
ASSESSMENTS	464,696	DRIs/NOPCs	200,000
	494,696		3,144,854
TOTAL REVENUES	**3,639,550**	**Prior Year Fund Balance**	**565,843**

MEMBER	POPULATION	ASSESSMENT
Charlotte	163,504	49,051.20
Collier	333,764	100,129.20
Glades	10,313	3,093.90
Hendry	38,713	11,613.90
Lee	615,254	184,576.20
Sarasota	387,439	116,231.70
TOTAL ASSESSMENTS	1,548,987	464,696.10
INTEREST AND MISC.		30,000.00
TOTAL GENERAL REVENUES	1,548,987	494,696.10

SPECIAL REVENUES	FEDERAL/STATE	DRI	OTHER	TOTAL
DCA - GENERAL AND OTHER	260,000			260,000
DCA - TITLE III	40,909			40,909
HMEP/SQG/DISASTER PROGS.	31,000		20,000	51,000
ECONOMIC DEVELOPMENT	53,000			53,000
TDs	63,815			63,815
OTHER (Wetlands/Hurricane)	156,667		177,418	334,085
FEDERAL/STATE/OTHER	605,391		197,418	802,809
DRIs/NOPCs		200,000		200,000
RPC SPECIAL REVENUES	605,391	200,000	197,418	1,002,809
MPO	869,495		73,000	942,495
CHNEP	599,775		599,775	1,199,550
TOTAL SPECIAL REVENUES	2,074,661	200,000	870,193	3,144,854

* Assessments based upon official Bureau of Business and Economic Research population estimates. Assessments are estimated at 30 cents/capita as provided for in the Council's Interlocal Agreement, adopted November 8, 1973.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
PROPOSED BUDGET
OCTOBER 1, 2008 TO SEPTEMBER 30, 2009

	GENERAL	RPC Special Revenues	Total RPC	MPO	NEP	TOTAL BUDGET
Revenues						
Assessments	464,696		464,696			464,696
Federal/State/Local Grants		802,809	802,809	942,495	1,199,550	2,944,854
Dri/Monitoring Fees		200,000	200,000			200,000
Interest/Misc	30,000		30,000			30,000
Carry Over Fund Balance*	565,843		565,843			565,843
Total Income	1,060,539	1,002,809	2,063,348	942,495	1,199,550	4,205,393
Expenditures						
Direct:						
Salaries	672,000	410,000	1,082,000	280,000	395,000	1,757,000
FICA	122,000		122,000			122,000
Retirement	170,000		170,000			170,000
Health Insurance	210,000		210,000			210,000
Workers Compensation	10,000		10,000			10,000
Legal Fees	3,000		3,000			3,000
Consultant Fees	10,000	30,000	40,000	0		40,000
NEP Contractual	0		0		255,200	255,200
MPO Contractual	0		0	290,000		290,000
Audit Fees	47,000		47,000			47,000
Travel	23,000	7,000	30,000	8,000	21,500	59,500
Telephone	8,000	2,000	10,000	3,000	1,500	14,500
Postage	12,000	3,000	15,000	5,000	10,000	30,000
Storage Unit Rental	2,000		2,000		1,000	3,000
Equipment Rental	40,000		40,000			40,000
Insurance	35,000		35,000			35,000
Repair/Maint. (Grounds/Bldg/Equip)	30,000		30,000			30,000
Printing/Reproduction	12,000	3,000	15,000	6,500	60,000	81,500
Utilities (Elec, water, garb)	30,000		30,000			30,000
Advertising	2,500	500	3,000	7,500	550	11,050
Other Miscelleanous	1,000	3,000	4,000	500	500	5,000
Office Supplies	16,000	4,000	20,000	5,000	3,000	28,000
Computer Related Expenses	40,000	10,000	50,000	2,000	4,000	56,000
Publications	8,500		8,500	1,500	500	10,500
Professional Development	20,000	10,000	30,000	1,500	8,000	39,500
Meetings/Events	10,000	10,000	20,000	2,000	33,800	55,800
Capital Outlay-Operations	5,000	25,000	30,000	3,000	15,000	48,000
Capital Outlay-Building	0	30,000	30,000			30,000
Long Term Debt	0	128,000	128,000			128,000
Allocation of Fringe/Indirect**	-1,098,886	381,891	-716,995	326,995	390,000	0
Reserve for Operations Expense*	565,843		565,843			565,843
Total Cash Outlays	1,005,957	1,057,391	2,063,348	942,495	1,199,550	4,205,393
Anticipated Net Income			0			0
Non-Cash Expense:						
Depreciation	60,000		60,000			60,000
Total Expenses	1,065,957	1,057,391	2,123,348	942,495	1,199,550	4,265,393

***See note #2** - New this year, as per the Auditors, the Fund Balance must be shown as 'carry over fund balance' in the revenue portion and as 'reserve for operations' in the expense portion of the budget.

****See note #4** - The Indirect rate prorates the overhead expenses incurred by the RPC over each active project/agency. This is accomplished by a reallocation of the expenses from General to Special Revenue. These expenses include, but are not limited to, facility costs, office supplies, and support staff.

SWFRPC-MPO-CHNEP COMBINED
OCT. 1, 2008 - Sept. 30, 2009 BUDGET

	Year End			Current	Amended	Proposed
	Actual Y/E 9/30/05	Actual Y/E 9/30/06	Actual Y/E 9/30/07	YTD ACTUAL at 3/31/08	Budget Y/E 9/30/08	Budget Y/E 9/30/09
Revenues						
Assessments	400,558	417,257	431,470	225,216	450,432	464,696
Federal/State/Local Grants	2,489,138	2,555,796	2,743,287	1,158,532	2,961,737	2,944,854
Dri/Monitoring Fees	158,747	284,734	356,254	178,827	250,000	200,000
Interest/Misc	35,671	25,086	44,308	19,583	30,000	30,000
Carry Over Fund Balance	552,561	404,046	392,967		565,843	565,843
Total Income	3,636,675	3,686,920	3,968,286	1,582,158	4,258,012	4,205,393
Expenditures						
Direct:						
Salaries	1,367,904	1,450,523	1,557,149	724,445	1,732,419	1,757,000
FICA	101,908	108,529	115,139	58,519	125,000	122,000
Retirement	104,468	122,376	160,037	67,767	170,000	170,000
Health Insurance	125,715	147,890	166,521	103,363	230,000	210,000
Workers Compensation	9,532	8,510	7,950	3,540	15,000	10,000
Legal Fees	7,500	358	185	0	10,000	3,000
Consultant Fees	414,415	148,515	58,825	1,909	40,000	40,000
NEP Contractual	324,113	432,164	515,184	225,825	272,300	255,200
MPO Contractual	4,345	132,679	208,969	22,007	228,150	290,000
Audit Fees	37,865	44,707	39,000	48,617	49,000	47,000
Travel	37,265	50,399	51,074	20,140	60,500	59,500
Telephone	7,804	10,417	11,858	4,817	20,000	14,500
Postage	23,245	32,069	21,092	9,897	40,000	30,000
Storage Unit Rental	2,429	2,398	2,242	1,116	3,100	3,000
Equipment Rental	40,293	36,323	34,900	19,086	47,000	40,000
Insurance	25,168	27,752	33,093	27,456	34,000	35,000
Repair/Maint. (Grounds/Bldg/Equip)	33,913	18,657	19,972	11,063	40,000	30,000
Printing/Reproduction	51,585	96,315	41,152	29,589	103,000	81,500
Utilities (Elec, water, garb)	17,288	24,447	24,424	10,709	32,000	30,000
Advertising	2,707	4,833	6,940	6,401	9,550	11,050
Other Miscelleanous	3,725	2,654	1,044	828	5,250	5,000
Office Supplies	17,564	23,450	23,283	14,481	28,500	28,000
Computer Related Expenses	32,651	52,926	39,575	25,217	55,000	56,000
Publications	8,265	3,877	2,589	1,091	10,600	10,500
Professional Development	33,447	35,443	34,542	32,101	41,000	39,500
Meetings/Events	50,946	18,169	44,739	30,771	68,800	55,800
Capital Outlay-Operations	6,375	41,455	31,470	2,597	44,000	48,000
Capital Outlay-Building	212,443	88,369	21,742	7,450	50,000	30,000
Long Term Debt (Building Loan)	127,751	127,751	127,751	63,876	128,000	128,000
Allocation of Fringe/Indirect				0	0	0
Reserve for Operations Expense	552,561	404,046	392,967	0	565,843	565,843
Total Cash Outlays	3,785,190	3,698,002	3,795,408	1,574,677	4,258,012	4,205,393
Net Income/(Loss)	-148,515	-11,081	172,878	7,481	0	0
Non-Cash Expenses:						
Depreciation	58,778	61,653	61,653		60,000	60,000
Total Expenses	3,291,407	3,355,608	3,857,061	1,574,677	4,318,012	4,265,393

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
OCT. 1, 2008 - Sept. 30, 2009 BUDGET

	Year End			Current	Amended	Proposed
	RPC Actual Y/E 9/30/05	RPC Actual Y/E 9/30/06	RPC Actual Y/E 9/30/07	RPC YTD ACTUAL at 2/29/08	RPC Budget Y/E 9/30/08	RPC Budget Y/E 9/30/09
Revenues						
Assessments	400,558	417,257	431,470	225,216	450,432	464,696
Federal/State/Local Grants	796,893	688,901	733,606	314,173	686,672	802,809
Dri/Monitoring Fees	158,747	284,734	356,254	178,827	250,000	200,000
Interest/Misc	35,671	25,086	44,308	19,583	30,000	30,000
Carry Over Fund Balance	552,561	404,046	392,967		565,843	565,843
Total Income	1,944,430	1,820,024	1,958,605	737,800	1,982,947	2,063,348
Expenditures						
Direct:						
Salaries	932,003	979,631	1,052,973	500,192	1,052,164	1,082,000
FICA	101,908	108,529	115,139	58,519	125,000	122,000
Retirement	104,468	122,376	160,037	67,767	170,000	170,000
Health Insurance	125,715	147,890	166,521	103,363	230,000	210,000
Workers Compensation	9,532	8,510	7,950	3,540	15,000	10,000
Legal Fees	7,500	185	185	0	10,000	3,000
Consultant Fees	212,417	97,854	58,825	1,909	40,000	40,000
NEP Contractual	775	0	0	0	0	
MPO Contractual	0	0	0	0	0	
Audit Fees	37,865	44,707	39,000	48,617	49,000	47,000
Travel	18,595	20,601	24,213	12,051	30,000	30,000
Telephone	7,611	8,691	8,884	4,032	15,000	10,000
Postage	4,041	23,173	12,604	1,105	22,000	15,000
Storage Unit Rental	1,839	1,443	1,492	741	2,100	2,000
Equipment Rental	40,293	36,323	34,900	19,086	47,000	40,000
Insurance	25,168	27,752	33,093	27,456	34,000	35,000
Repair/Maint. (Grounds/Bldg/Equip)	33,913	18,657	19,972	11,063	40,000	30,000
Printing/Reproduction	6,310	34,078	1,252	1,363	15,000	15,000
Utilities (Elec, water, garb)	17,288	24,447	24,424	10,709	32,000	30,000
Advertising	951	1,789	836	670	3,000	3,000
Other Miscelleanous	3,675	2,409	1,044	659	4,000	4,000
Office Supplies	15,316	19,384	15,534	10,043	22,000	20,000
Computer Related Expenses	29,016	40,539	34,348	23,132	50,000	50,000
Publications	8,265	1,308	1,419	666	9,500	8,500
Professional Development	25,032	25,771	28,143	26,441	31,000	30,000
Meetings/Events	27,093	11,442	13,094	14,176	30,000	20,000
Capital Outlay-Operations	0	28,085	12,939	2,597	30,000	30,000
Capital Outlay-Building	212,443	88,369	21,742	7,450	50,000	30,000
Long Term Debt (Building Loan)	127,751	127,751	127,751	63,876	128,000	128,000
Allocation of Fringe/Indirect	-596,400	-624,637	-625,554	-290,904	-868,660	-716,995
Reserve for Operations Expense	552,561	404,046	392,967		565,843	565,843
Total Cash Outlays	2,092,945	1,831,104	1,785,727	730,319	1,982,947	2,063,348
Net Income/(Loss)	-148,515	-11,079	172,878	7,481	0	0
Non-Cash Expenses:						
Depreciation	38,596	58,778	68,421		60,000	60,000
Total Expenses	2,131,541	1,889,882	1,854,148	730,319	2,042,947	2,123,348

METROPOLITAN PLANNING ORGANIZATION
OCT. 1, 2008 - Sept. 30, 2009 BUDGET

	Year End			Current	Amended	Proposed
	MPO Actual Y/E 9/30/05	MPO Actual Y/E 9/30/06	MPO Actual Y/E 9/30/07	MPO YTD ACTUAL at 2/29/08	MPO Budget Y/E 9/30/08	MPO Budget Y/E 9/30/09
Revenues						
Assessments						
Federal/State/Local Grants	746,916	771,053	708,808	268,571	1,161,749	942,495
Dri/Monitoring Fees						
Interest/Misc						
Carry Over Fund Balance						
Total Income	746,916	771,053	708,808	268,571	1,161,749	942,495
Expenditures						
Direct:						
Salaries	213,825	238,563	207,369	102,890	388,839	280,000
FICA		0	0	0	0	
Retirement		0	0	0	0	
Health Insurance		0	0	0	0	
Workers Compensation		0	0	0	0	
Legal Fees		173	0	0	0	
Consultant Fees	201,998	50,661	0	0	0	
NEP Contractual		0	0	0	0	
MPO Contractual	4,345	132,679	208,969	22,007	228,150	290,000
Audit Fees		0	0	0	0	
Travel	4,827	4,877	6,954	996	9,000	8,000
Telephone	1	663	2,316	497	3,500	3,000
Postage	9,398	2,030	1,114	786	8,000	5,000
Storage Unit Rental		0	0	0	0	
Equipment Rental		0	0	0	0	
Insurance		0	0	0	0	
Repair/Maint. (Grounds/Bldg/Equip)		0	0	0	0	
Printing/Reproduction	4,753	4,693	5,807	270	5,000	6,500
Utilities (Elec, water, garb)		0	0	0	0	
Advertising	1,756	2,767	5,845	5,210	6,000	7,500
Other Miscelleanous		245	0	166	500	500
Office Supplies	148	3,302	4,660	2,169	5,000	5,000
Computer Related Expenses	950	8,490	115	400	2,000	2,000
Publications		2,092	985	0	600	1,500
Professional Development	1,230	2,191	350	477	1,500	1,500
Meetings/Events	1,273	1,174	357	73	5,000	2,000
Capital Outlay-Operations	4,820	0	6,673	0	8,000	3,000
Capital Outlay-Building		0	0			
Long Term Debt (Building Loan)		0	0			
Allocation of Fringe/Indirect	297,590	316,454	257,292	132,630	490,660	326,995
Reserve for Operations Expense						
Total Cash Outlays	746,915	771,053	708,808	268,571	1,161,749	942,495
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation						
Total Expenses	746,916	771,054	708,808	268,571	1,161,749	942,495

CHARLOTTE HARBOR NEP
OCT. 1, 2008 - Sept. 30, 2009 BUDGET

	Year End			Current	Amended	Proposed
	CHNEP - Actual Y/E 9/30/05	CHNEP - Actual Y/E 9/30/06	CHNEP - Actual Y/E 9/30/07	NEP YTD ACTUAL at 2/29/07	CHNEP - Budget Y/E 9/30/08	CHNEP - Budget Y/E 9/30/09
Revenues						
Assessments						
Federal/State/Local Grants	945,331	1,095,845	1,300,873	575,788	1,113,316	1,199,550
Dri/Monitoring Fees						
Interest/Misc						
Carry Over Fund Balance						
Total Income	945,331	1,095,845	1,300,873	575,788	1,113,316	1,199,550
Expenditures						
Direct:						
Salaries	222,076	232,328	296,807	121,363	291,416	395,000
FICA		0	0	0	0	
Retirement		0	0	0	0	
Health Insurance		0	0	0	0	
Workers Compensation		0	0	0	0	
Legal Fees		0	0	0	0	
Consultant Fees		0	0	0	0	
NEP Contractual	323,338	432,164	515,184	225,825	272,300	255,200
MPO Contractual		0	0	0	0	
Audit Fees		0	0	0	0	
Travel	13,843	24,921	19,907	7,093	21,500	21,500
Telephone	191	1,062	658	289	1,500	1,500
Postage	9,806	6,866	7,374	8,007	10,000	10,000
Storage Unit Rental	590	955	750	375	1,000	1,000
Equipment Rental		0	0	0	0	
Insurance		0	0	0	0	
Repair/Maint. (Grounds/Bldg/Equip)		0	0	0	0	
Printing/Reproduction	40,522	57,545	34,093	27,955	83,000	60,000
Utilities (Elec, water, garb)		0	0	0	0	
Advertising		278	259	521	550	550
Other Miscelleanous	50	0	0	3	750	500
Office Supplies	2,099	764	3,090	2,268	1,500	3,000
Computer Related Expenses	2,685	3,897	5,112	1,684	3,000	4,000
Publications		477	184	425	500	500
Professional Development	7,185	7,482	6,049	5,183	8,500	8,000
Meetings/Events	22,580	5,553	31,287	16,521	33,800	33,800
Capital Outlay-Operations	1,554	13,370	11,857	0	6,000	15,000
Capital Outlay-Building		0	0			
Long Term Debt (Building Loan)						
Allocation of Fringe/Indirect	298,810	308,183	368,261	158,274	378,000	390,000
Reserve for Operations Expense						
Total Cash Outlays	945,331	1,095,845	1,300,873	575,788	1,113,316	1,199,550
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation						
Total Expenses	945,331	1,095,845	1,300,873	575,788	1,113,316	1,199,550

SWFRPC-MPO-CHNEP COMBINED
PROPOSED BUDGET AND FIVE YEAR PLAN
OCTOBER 1, 2009 TO SEPTEMBER 30, 2013

	Adopted Budget Y/E 9/30/08	5 Year Plan				
		Budget Y/E 9/30/09	Budget Plan Y/E 9/30/10	Budget Plan Y/E 9/30/11	Budget Plan Y/E 9/30/12	Budget Plan Y/E 9/30/13
Revenues						
Assessments	450,432	**464,696**	483,284	502,615	522,720	543,629
Federal/State/Local Grants	2,961,737	**2,944,854**	3,228,677	3,345,823	3,439,027	3,518,147
Dri/Monitoring Fees	250,000	**200,000**	250,000	250,000	250,000	250,000
Interest/Misc	30,000	**30,000**	30,000	32,000	32,000	33,000
Carry Over-Fund Balance	565,843	**565,843**	566,000	566,000	566,000	566,000
Total Income	4,258,012	**4,205,393**	4,557,961	4,696,438	4,809,747	4,910,775
Expenditures						
Direct:						
Salaries	1,732,419	**1,757,000**	1,813,085	1,870,971	1,930,715	1,992,379
FICA	125,000	**122,000**	130,000	130,000	130,000	130,000
Retirement	170,000	**170,000**	175,000	175,000	180,000	180,000
Health Insurance	230,000	**210,000**	250,000	260,000	265,000	270,000
Workers Compensation	15,000	**10,000**	10,000	10,000	10,000	10,000
Legal Fees	10,000	**3,000**	3,000	3,000	3,000	3,000
Consultant Fees	40,000	**40,000**	140,000	140,000	140,000	140,000
NEP Contractual	272,300	**255,200**	311,981	356,188	368,816	380,003
MPO Contractual	228,150	**290,000**	345,955	358,092	375,474	393,389
Audit Fees	49,000	**47,000**	47,000	48,000	48,000	49,000
Travel	60,500	**59,500**	63,000	64,000	65,000	66,000
Telephone	20,000	**14,500**	16,700	16,800	16,800	16,800
Postage	40,000	**30,000**	34,000	39,000	41,000	42,000
Storage Unit Rental	3,100	**3,000**	3,000	3,000	3,000	3,000
Equipment Rental	47,000	**40,000**	40,000	40,000	41,000	41,000
Insurance	34,000	**35,000**	34,000	34,000	34,000	34,000
Repair/Maint. (Grounds/Bldg/Equip)	40,000	**30,000**	32,000	32,000	35,000	35,000
Printing/Reproduction	103,000	**81,500**	70,000	71,000	71,500	72,000
Utilities (Elec, water, garb)	32,000	**30,000**	32,000	34,000	34,000	35,000
Advertising	9,550	**11,050**	10,100	10,200	10,200	10,200
Other Miscelleanous	5,250	**5,000**	5,500	5,500	5,500	5,500
Office Supplies	28,500	**28,000**	25,700	27,700	27,700	27,700
Computer Related Expenses	55,000	**56,000**	57,500	57,700	58,000	58,000
Publications	10,600	**10,500**	10,200	10,200	10,200	10,200
Professional Development	41,000	**39,500**	45,000	45,100	47,600	47,600
Meetings/Events	68,800	**55,800**	63,000	64,500	65,000	65,500
Capital Outlay-Operations	44,000	**48,000**	38,000	38,000	40,500	40,500
Capital Outlay-Building	50,000	**30,000**	50,000	50,000	50,000	50,000
Long Term Debt (Building Loan)	128,000	**128,000**	128,000	128,000	128,000	128,000
Allocation of Fringe/Indirect						
Reserve for Operations Expense	565,843	**565,843**	566,000	566,000	566,000	566,000
Total Cash Outlays	4,258,012	**4,205,393**	4,549,721	4,687,951	4,801,005	4,901,771
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation	60,000	**60,000**	60,000	60,000	60,000	60,000
Total Expenses	4,318,012	**4,265,393**	4,609,721	4,747,951	4,861,005	4,961,771

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
PROPOSED BUDGET AND FIVE YEAR PLAN
OCTOBER 1, 2009 TO SEPTEMBER 30, 2013

	Adopted RPC Budget Y/E 9/30/08	5 Year Plan				
		RPC Budget Y/E 9/30/09	RPC Budget Y/E 9/30/10	RPC Budget Y/E 9/30/11	RPC Budget Y/E 9/30/12	RPC Budget Y/E 9/30/13
Revenues						
Assessments	450,432	**464,696**	483,284	502,615	522,720	543,629
Federal/State/Local Grants	686,672	**802,809**	800,000	800,000	800,000	800,000
Dri/Monitoring Fees	250,000	**200,000**	250,000	250,000	250,000	250,000
Interest/Misc	30,000	**30,000**	30,000	32,000	32,000	33,000
Carry Over-Fund Balance	565,843	**565,843**	566,000	566,000	566,000	566,000
Total Income	1,982,947	**2,063,348**	2,129,284	2,150,615	2,170,720	2,192,629
Expenditures						
Direct:						
Salaries	1,052,164	**1,082,000**	1,114,460	1,147,894	1,182,331	1,217,801
FICA	125,000	**122,000**	130,000	130,000	130,000	130,000
Retirement	170,000	**170,000**	175,000	175,000	180,000	180,000
Health Insurance	230,000	**210,000**	250,000	260,000	265,000	270,000
Workers Compensation	15,000	**10,000**	10,000	10,000	10,000	10,000
Legal Fees	10,000	**3,000**	3,000	3,000	3,000	3,000
Consultant Fees	40,000	**40,000**	40,000	40,000	40,000	40,000
NEP Contractual	0	**0**				
MPO Contractual	0	**0**				
Audit Fees	49,000	**47,000**	47,000	48,000	48,000	49,000
Travel	30,000	**30,000**	30,000	31,000	31,000	32,000
Telephone	15,000	**10,000**	15,000	15,000	15,000	15,000
Postage	22,000	**15,000**	15,000	17,000	17,000	17,000
Storage Unit Rental	2,100	**2,000**	2,000	2,000	2,000	2,000
Equipment Rental	47,000	**40,000**	40,000	40,000	41,000	41,000
Insurance	34,000	**35,000**	34,000	34,000	34,000	34,000
Repair/Maint. (Grounds/Bldg/Equip)	40,000	**30,000**	32,000	32,000	35,000	35,000
Printing/Reproduction	15,000	**15,000**	15,000	15,000	15,000	15,000
Utilities (Elec, water, garb)	32,000	**30,000**	32,000	34,000	34,000	35,000
Advertising	3,000	**3,000**	3,000	3,000	3,000	3,000
Other Miscelleanous	4,000	**4,000**	4,000	4,000	4,000	4,000
Office Supplies	22,000	**20,000**	22,000	24,000	24,000	24,000
Computer Related Expenses	50,000	**50,000**	50,000	50,000	50,000	50,000
Publications	9,500	**8,500**	9,500	9,500	9,500	9,500
Professional Development	31,000	**30,000**	35,000	35,000	37,000	37,000
Meetings/Events	30,000	**20,000**	30,000	31,000	31,000	31,000
Capital Outlay-Operations	30,000	**30,000**	30,000	30,000	32,000	32,000
Capital Outlay-Building	50,000	**30,000**	50,000	50,000	50,000	50,000
Long Term Debt (Building Loan)	128,000	**128,000**	128,000	128,000	128,000	128,000
Allocation of Fringe/Indirect	-868,660	**-716,995**	-790,916	-822,266	-854,853	-876,676
Reserve for Operations Expense	565,843	**565,843**	566,000	566,000	566,000	566,000
Total Cash Outlays	1,982,947	**2,063,348**	2,121,044	2,142,128	2,161,978	2,183,624
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation	60,000	**60,000**	60,000	60,000	60,000	60,000
Total Expenses	2,042,947	**2,123,348**	2,181,044	2,202,128	2,221,978	2,243,624

METROPOLITAN PLANNING ORGANIZATION
PROPOSED BUDGET AND FIVE YEAR PLAN
OCTOBER 1, 2009 TO SEPTEMBER 30, 2013

	Adopted	5 Year Plan				
	MPO PL/Local Budget Y/E 9/30/08	**MPO PL/Local Budget Y/E 9/30/09**	MPO PL/Local Budget Plan Y/E 9/30/10	MPO PL/Local Budget Plan Y/E 9/30/11	MPO PL/Local Budget Plan Y/E 9/30/12	MPO PL/Local Budget Plan Y/E 9/30/13
Revenues						
Assessments						
Federal/State/Local Grants	1,161,749	**942,495**	1,140,145	1,161,428	1,180,704	1,200,227
Dri/Monitoring Fees						
Interest/Misc						
Carry Over-Fund Balance						
Total Income	1,161,749	**942,495**	1,140,145	1,161,428	1,180,704	1,200,227
Expenditures						
Direct:						
Salaries	388,839	**280,000**	289,800	299,943	310,441	321,306
FICA	0	**0**				
Retirement	0	**0**				
Health Insurance	0	**0**				
Workers Compensation	0	**0**				
Legal Fees	0	**0**				
Consultant Fees	0	**0**	100,000	100,000	100,000	100,000
NEP Contractual	0	**0**				
MPO Contractual	228,150	**290,000**	345,955	358,092	375,474	393,389
Audit Fees	0	**0**				
Travel	9,000	**8,000**	8,000	8,000	8,000	8,000
Telephone	3,500	**3,000**	200	300	300	300
Postage	8,000	**5,000**	8,000	9,000	9,000	10,000
Storage Unit Rental	0	**0**				
Equipment Rental	0	**0**				
Insurance	0	**0**				
Repair/Maint. (Grounds/Bldg/Equip)	0	**0**				
Printing/Reproduction	5,000	**6,500**	5,000	6,000	6,500	7,000
Utilities (Elec, water, garb)	0	**0**				
Advertising	6,000	**7,500**	6,000	6,000	6,000	6,000
Other Miscelleanous	500	**500**	500	500	500	500
Office Supplies	5,000	**5,000**	700	700	700	700
Computer Related Expenses	2,000	**2,000**	2,000	2,000	2,000	2,000
Publications	600	**1,500**	600	600	600	600
Professional Development	1,500	**1,500**	1,500	1,600	1,600	1,600
Meetings/Events	5,000	**2,000**	5,000	5,500	5,500	5,500
Capital Outlay-Operations	8,000	**3,000**	3,000	3,000	3,500	3,500
Capital Outlay-Building	0	**0**				
Long Term Debt (Building Loan)	0	**0**				
Allocation of Fringe/Indirect	490,660	**326,995**	363,890	360,193	350,589	339,831
Reserve for Operations Expense						
Total Cash Outlays	1,161,749	**942,495**	1,140,145	1,161,428	1,180,704	1,200,227
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation						
Total Expenses	1,161,749	**942,495**	1,140,145	1,161,428	1,180,704	1,200,227

CHARLOTTE HARBOR NEP
PROPOSED BUDGET AND FIVE YEAR PLAN
OCTOBER 1, 2009 TO SEPTEMBER 30, 2013

	Adopted	5 Year Plan				
	CHNEP - Budget Y/E 9/30/08	**CHNEP - Budget Y/E 9/30/09**	CHNEP - Budget Plan Y/E 9/30/10	CHNEP - Budget Plan Y/E 9/30/11	CHNEP - Budget Plan Y/E 9/30/12	CHNEP - Budget Plan Y/E 9/30/13
Revenues						
Assessments						
Federal/State/Local Grants	1,113,316	**1,199,550**	1,288,532	1,384,395	1,458,323	1,517,920
Dri/Monitoring Fees						
Interest/Misc						
Carry Over-Fund Balance						
Total Income	1,113,316	**1,199,550**	1,288,532	1,384,395	1,458,323	1,517,920
Expenditures						
Direct:						
Salaries	291,416	**395,000**	408,825	423,134	437,944	453,272
FICA	0	**0**				
Retirement	0	**0**				
Health Insurance	0	**0**				
Workers Compensation	0	**0**				
Legal Fees	0	**0**				
Consultant Fees	0	**0**				
NEP Contractual	272,300	**255,200**	311,981	356,188	368,816	380,003
MPO Contractual	0	**0**				
Audit Fees	0	**0**				
Travel	21,500	**21,500**	25,000	25,000	26,000	26,000
Telephone	1,500	**1,500**	1,500	1,500	1,500	1,500
Postage	10,000	**10,000**	11,000	13,000	15,000	15,000
Storage Unit Rental	1,000	**1,000**	1,000	1,000	1,000	1,000
Equipment Rental	0	**0**				
Insurance	0	**0**				
Repair/Maint. (Grounds/Bldg/Equip)	0	**0**				
Printing/Reproduction	83,000	**60,000**	50,000	50,000	50,000	50,000
Utilities (Elec, water, garb)	0	**0**				
Advertising	550	**550**	1,100	1,200	1,200	1,200
Other Miscelleanous	750	**500**	1,000	1,000	1,000	1,000
Office Supplies	1,500	**3,000**	3,000	3,000	3,000	3,000
Computer Related Expenses	3,000	**4,000**	5,500	5,700	6,000	6,000
Publications	500	**500**	100	100	100	100
Professional Development	8,500	**8,000**	8,500	8,500	9,000	9,000
Meetings/Events	33,800	**33,800**	28,000	28,000	28,500	29,000
Capital Outlay-Operations	6,000	**15,000**	5,000	5,000	5,000	5,000
Capital Outlay-Building	0	**0**				
Long Term Debt (Building Loan)	0	**0**				
Allocation of Fringe/Indirect	378,000	**390,000**	427,026	462,073	504,264	536,845
Reserve for Operations Expense						
Total Cash Outlays	1,113,316	**1,199,550**	1,288,532	1,384,395	1,458,323	1,517,920
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation						
Total Expenses	1,113,316	**1,199,550**	1,288,533	1,384,395	1,458,323	1,517,920

Facts to be noted for this Annual Budget

1 Included in Employee Benefits Salaries are sick, vacation, and holiday pay. Provision is also included for adjustments (ie: merit increase, reclass, etc.) In the event of any adjustments, transfers can be made to the corresponding project within the same expense line. As always, transfers between Expense Lines will require a Budget Amendment.

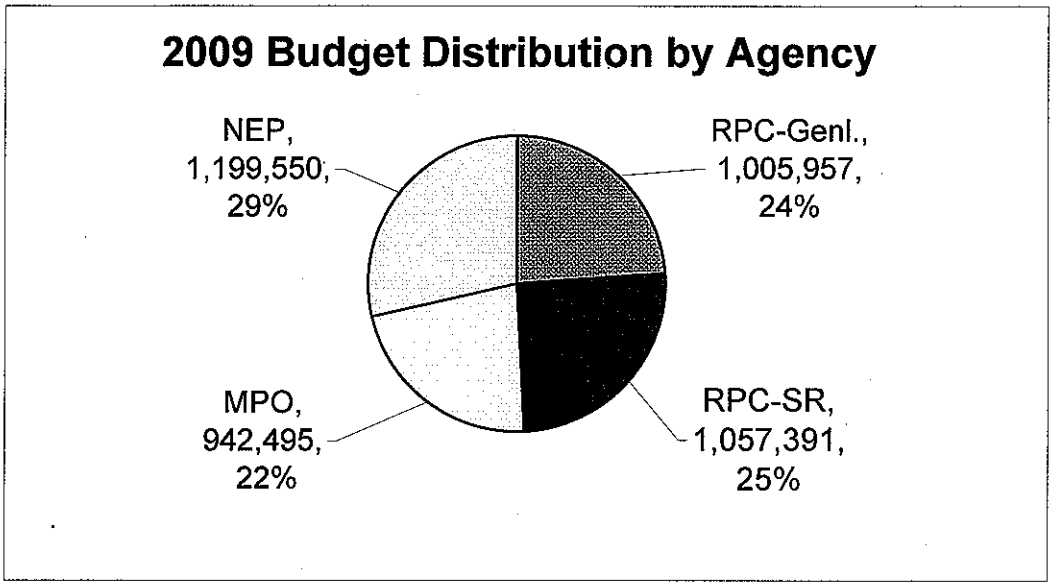
2 New this year, as per the Auditors, the Fund Balance must be shown in the Budget as 'carry over fund balance' in the revenue portion and as 'reserve for operations' in the expense portion of the Budget.

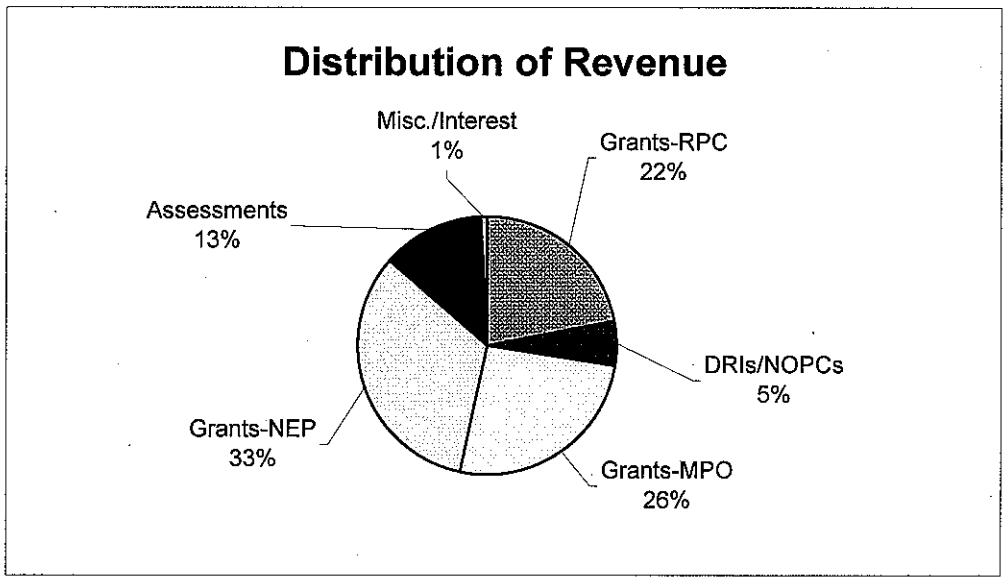
3 It has been recommended by the auditors that the Council designate a portion of the fund balance for emergencies. In that regard, $471,600 was been appropriated thus far and the reserved fund balance will be increased each year until our goal of a six month reserve is met.

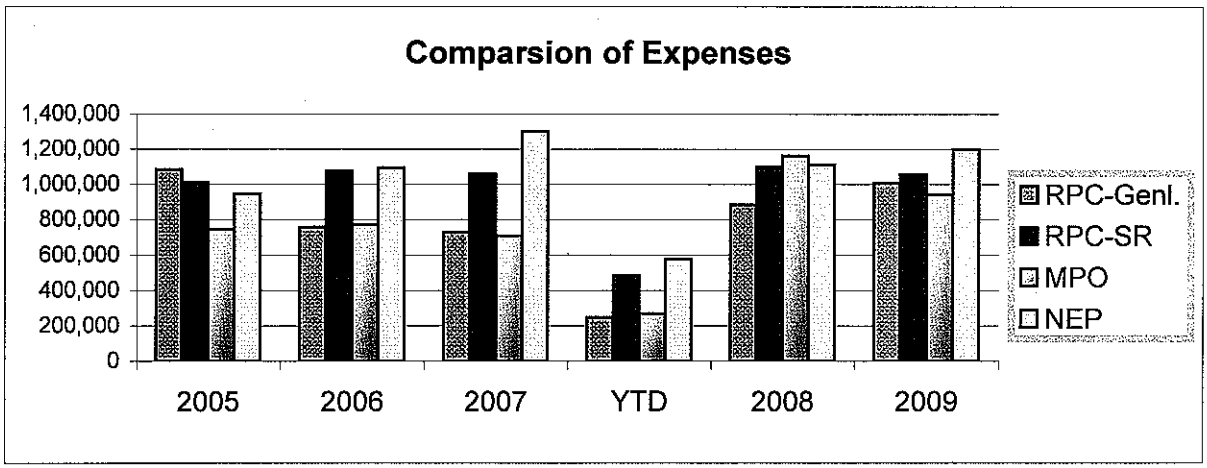
4 Fringe and Indirect reimbursed by MPO and NEP grants are shown as reallocation from Council since their budgets are separated from the RPC budget. A copy of the Calculation of the Indirect/Fringe Rates policy approved by the Council is attached. The Indirect rate prorates the overhead expenses incurred by the RPC over each active project/agency. These expenses include, but are not limited to, facility costs, office supplies, and support staff.

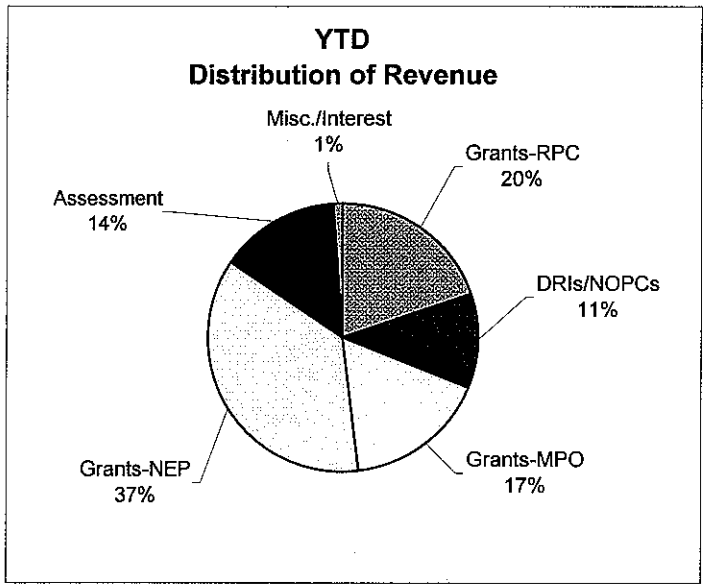
Fringe/Indirect Rates for 5 years:

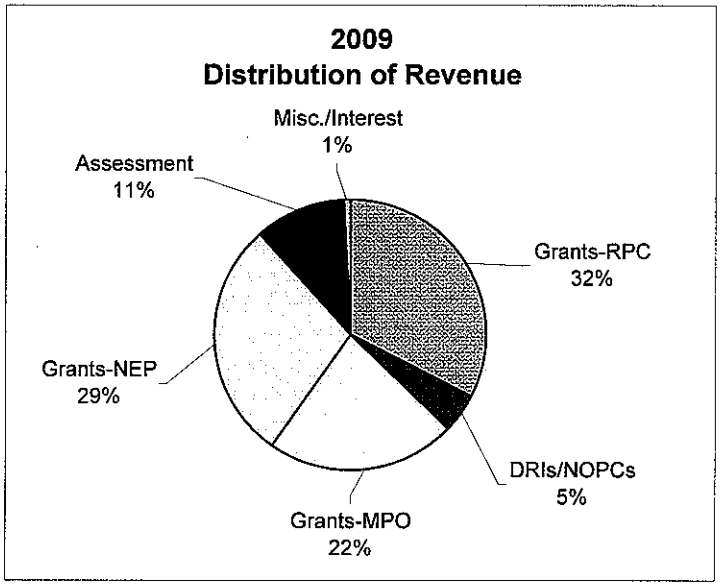
2008-09 Fringe Provisional Rate	49%
2008-09 Indirect Provisional Rate	82%
2007-08 Fringe Provisional Rate	49%
2007-08 Indirect Provisional Rate	84%
2006-07 Fringe Actual Rate	46%
2006-07 Indirect Actual Rate	78%
2005-06 Fringe Actual Rate	43%
2005-06 Indirect Actual Rate	90%
2004-05 Fringe Actual Rate	42%
2004-05 Indirect Actual Rate	99%
2003-04 Fringe Actual Rate	43%
2003-04 Indirect Actual Rate	83%

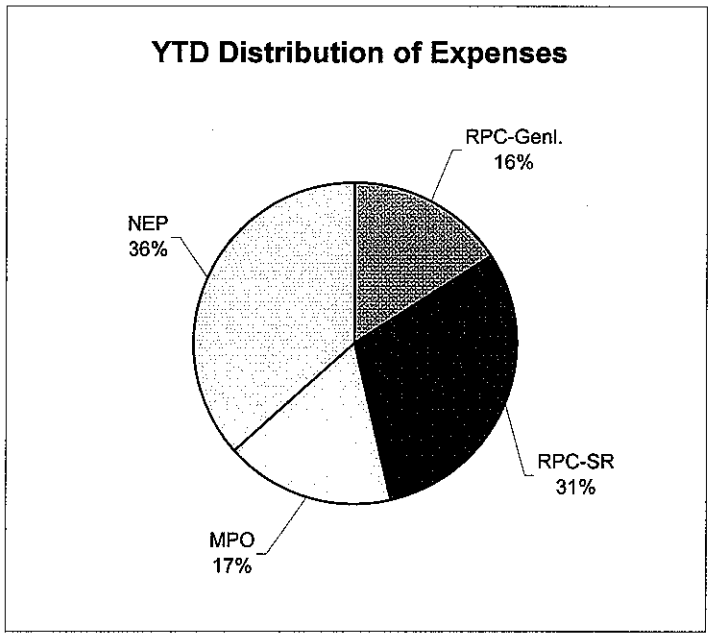

2009 Budget Distribution by Agency
NEP, 1,199,550, 29%
RPC-Genl., 1,005,957, 24%
MPO, 942,495, 22%
RPC-SR, 1,057,391, 25%

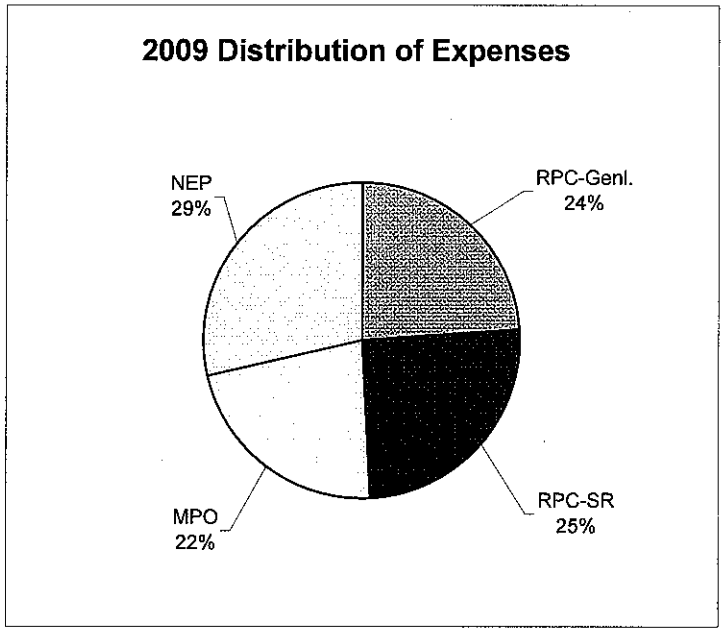

Distribution of Revenue
Misc./Interest 1%
Grants-RPC 22%
Assessments 13%
DRIs/NOPCs 5%
Grants-NEP 33%
Grants-MPO 26%


Comparsion of Expenses
1,400,000
1,200,000
1,000,000
800,000
600,000
400,000
200,000
0
2005
2006
2007
YTD
2008
2009
RPC-Genl.
RPC-SR
MPO
NEP



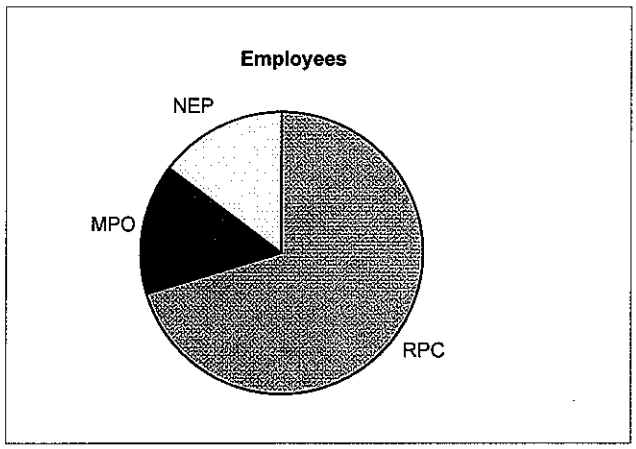






The graphs above compare the actual revenues and expenses so far to date with the proposed budget for the next fiscal year.

This graph compares the number of employees in each entitiy



Calculation of Fringe and Indirect Rates

Source:

CCAS Indirect Cost Rate **(http://www.ccas.com/cgovcon.htm)**
CCAS produces and supports financial and government project accounting software

Frequently Asked Questions (FAQs) about Indirect Costs from
The Division of Financial Advisory Services
(http://ocm.od.nih.gov/dfas/faqindirectcosts.htm)

What is the difference between a direct cost and an indirect cost?

A direct cost is any cost that can be easily identified with a specific project (grant/contract): e.g., Salaries and Wages, Materials & Supplies, Subcontracts, Consultants.

An indirect cost is any cost that cannot be easily identified (or it would not be cost effective to identify) to a specific project, but identified with two or more final cost objectives. There are three types of indirect costs:

Fringe Benefits: services or benefits provided to employees, e.g., Health Insurance, Payroll Taxes, Pension Contribution, Paid Absences, etc

Overhead: indirect costs associated with the performance of a project, e.g., Facility Costs (rent, heat, electricity, etc.), General Laboratory Supplies, office supplies, etc.

G&A: indirect costs associated with the overall management of an organization, e.g., President's Office, Human Resources Office, Accounting Office, etc.

Determining an Indirect-Cost Rate

An indirect-cost rate is simply the ratio of indirect costs to some base or activity (that is, direct labor costs, labor hours, number of employees, space footage or total direct costs).

We will use the ratio of indirect costs (excluding fringe) to direct labor costs to determine the actual indirect rate. (Overhead and G&A)

The ratio of total fringe benefits to total salaries will be used to determine the actual fringe rate. (Fringe Benefits)

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

CAPITAL ASSETS POLICY

Conforming to the requirements of GASB 34, we are formally setting the following guidelines for fixed assets capitalization and depreciation:

Assets will be capitalized at $1,000 and above according to Florida Statue, Chapter 274.

These assets will be inventoried using the Peachtree Fixed Assets Program.

The depreciation method will be straight-line, full month.

Useful life ranges are as follows:
- Buildings – 45 years
- Improvements other than buildings – 15 years
- Computer Equipment – 3 years
- Furniture and Fixtures – 7 years
- Vehicles and Equipment – 5 years

This policy is effective as of October 1, 2004.
Any assets previously inventoried under $1,000 shall be removed from the inventory list and that list submitted along with this policy.

The following items were removed from the fixed assets list in 2007:

Asset	Purchased	
Aberdeen Printer	1/13/1994	4,325.00
HP Printer	9/29/1995	1,399.99
Entre Computer	4/26/1996	2,035.00
Laser Jet Printer	11/1/1996	1,299.99
Laser Jet Printer	12/11/1997	1,609.90
Dell Computer	9/11/1998	2,135.00
Gateway Computer	6/29/2000	1,297.00
Dell Computer	1/17/2001	2,312.00
Gateway Computer	2/8/2001	1,814.00
		18,227.88

In the future, any assets scheduled for disposal will be presented to the Council prior to any sale or disposition as per suggestion by the Auditors. Furthermore a Computer Disposal Policy, effective December 14, 2007 has been established. This policy is included in the back of this Budget.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
COMPUTER DISPOSAL POLICY

Effective Date: December 14, 2007

Policy Statement:
All Council-owned electronic equipment, including but not limited to, computers, monitors, faxes, copy machines, cell phones, and personal digital appliances (PDAs) with a printed circuit board that the Network Administrator has deemed to be surplus or non-usable shall be disposed of in a manner that is consistent with Federal, state and local statutes and regulations, with recycling being the preferred method. All equipment identified as surplus shall be recycled by the Council's selected and approved vendor list. In addition, all surplus computers or servers that contain hard drives shall be wiped clean or shall be destroyed by magnetic degaussing.

If equipment is recycle/disposed through the Lee County Government Solid Waste Division there is a fee which is subject to change.

Responsibility:
The administration of the recycling program shall be under the Network Administrator and the Executive Director. The Network Administrator identifies equipment as surplus to the needs for the Council, the Executive Director, reviews, and approves these declarations and brings the matter before the Council for final approval.

Action:
The initial action is the Network Administrator presents the Executive Director a list of surplus equipment. This list depicts: purchase date, current capital value, and reason for designation as surplus and recommended method of disposal. Once a list is approved by the Executive Director, it is placed on the Council's Agenda in the Administrative Items section for final approval.

Possible methods of disposal include: in-house auction of equipment, donation to other agencies, recycling, disposal or any other method deemed to be consistent with the purpose and mission of the Council.

69I-73.006 Inventory of Property.

(1) Physical Inventory Required – Each governmental unit shall ensure a complete physical inventory of all property is taken annually and whenever there is a change of custodian or change of custodian's delegate.

(2) Inventory Forms – The form used to record the physical inventory pursuant to Section 274.02(2), F.S., shall be at the discretion of the governmental unit. However, the form shall display at a minimum for each property item, the following information:

(a) Date of inventory.

(b) Identification number.

(c) Existence of property item (or not).

(d) Physical location (the city, county, address or building name and room number therein).

(e) Present physical condition.

(f) Name and signature of the employee or other individual attesting to the existence of the item.

(g) In the case of a property group, the number and description of the component items comprising the group.

(3) Electronic scanning format used for the identification number is acceptable only if the recorded data is downloadable to a computer and can then be used to generate reports that will include all information required on the hardcopy inventory form.

(4) Unrecorded Property – Any property item found during the conduct of an inventory which meets the requirements for accounting and control as defined in Rule 69I-71.003, F.A.C., and which item is not included on the inventory forms described above, shall have an inventory form created for the item when located. After appropriate investigation to establish the ownership of the item, it shall be added to the governmental unit's property records or, if ownership cannot be reasonably established, the item may be disposed of in the manner provided by law as applicable to surplus property, pursuant to Section 274.05 and 274.06, F.S.

(5) Custodian Delegate Shall Not Inventory Certain Items – The custodian delegate shall not personally inventory items for which they are responsible.

(6) Reconciliation of Inventory to Property Records – Upon completion of a physical inventory:

(a) The data listed on the inventory forms shall be compared with the individual property records. Noted differences such as location, condition and custodian shall be investigated and corrected as appropriate or alternatively, the item shall be relocated to its assigned location and custodian in the individual property record.

(b) Items not located during the inventory process shall be promptly reported to the governmental unit which shall cause a thorough investigation to be made. If the investigation determines that the item was stolen, the individual property record shall be so noted, and a report filed with the appropriate law enforcement agency describing the missing item and the circumstances surrounding its disappearance.

(7) Unaccounted for Property – For items identified as unaccounted for and reported to the State's Chief Financial Officer, recording of the items as dispositions, or otherwise removing of the items from the property records, shall be subjected to approval of the State's Chief Financial Officer, as provided in Section 17.041, F.S., and Rule 69I-71.003, F.A.C.

Specific Authority 274.02 FS. Law Implemented 274.02 FS. History–New 3-25-08.

Agenda Item

6

Regional Issues

6

6

Agenda Item

6a

Connecting With Nature

Presentations

6a

6a

Dr. William Hammond, FGCU

Dr. William Hammond has been an educator in Southwest Florida for 42 years and is currently a professor at Florida Gulf Coast University and heads an international consulting firm, Natural Context. He earned a BS, MS, EdS and PhD at Simon Fraser University in British Columbia. He has been recognized with many awards such as the President George Bush, Sr. and Congressional Theodore Roosevelt Award for conservation service to the nation and Urban Land Institutes Pathfinder Award in SW Florida 2001. He has conducted presentations, training workshops and consultations in 50 states and five Canadian Provinces, England, Soviet Union, Republic of Georgia, and 19 Caribbean nations for a wide range of educational, government, business, professional, and non-profit clients.

His primary areas of expertise are: applied creativity in the work place, curriculum design and implementation, environmental/science/marine education, natural systems, learning styles, brain dominance research, organizational changes and management systems, communications, leadership styles, conflict resolution, creative journal keeping, environmental planning, biological assessment, interpretive exhibit and facilities design community-public communications/participation, environmental action in schools/community, and design and teacher training strategies for instructional technology.

Mr. Jim McLaughlin, WGCU TV

Mr. Jim McLaughlin had the good fortune of being part of the excellent Connect! Team since last Fall. It's an honor to play a role in such a classy operation. My broadcasting career began in 1976 at WCCF radio in Punta Gorda where I ran a one-man news operation and hosted what was then only the second local call-in radio talk show in Southwest Florida. After a year there, Wink-TV hired me as their Charlotte County Bureau Chief. Several months later, I moved into Ft. Myers and by Spring of 1978 I was the weekend anchorman and the rest, as they say, is history. I retired from Wink in 2005 and have been devoting my time and effort to my commercial photography business until, that is, WGCU came calling. The Connect! Program is an exciting concept and I'm proud to be part of the WGCU team.

_____Agenda
_____Item

6b

Lower West Coast Watersheds

Subcommittee Report

6b

Southwest Florida Regional Planning Council - Water Quality Improvement Initiatives

for Lower West Coast Watershed Sub Committee

Urban Pollution

	Fertilizer Runoff	Waste Water from Sewage Treatment	Package Treatment Plants	On Site Water Treatment and Disposal Systems	Storm Water Runoff
RPC Resolutions	Regulated Use of Fertilizers Containing Nitrogen and Phosphorous	Regulation and Control of Surface Water Discharges of treated wastewater effluent containing Nitrogen and Phosphorous	Management and control guidelines to reduce wastewater pollution from package treatment facilities	Control and Management of OSWTD systems to reduce Nutrient Pollution of Waterways	Improve the control and management of pollutants in Stormwater Runoff
Regional Follow-up	Local Ordinances being Introduced in 14 Municipalities Throughout SW Florida	• DEP permitting will require all new wastewater facilities have Advanced Wastewater Treatment (AWT) • Federal grant being pursued by RPC to assist in process changes for waste water facilities in SW region to eliminate Nitrogen pollution	• DEP permitting requirement strengthened for new facilities close to critical water bodies • Promoting ordinances to increased control of small facility management	RPC Sub committee working with industry group to craft a reasonable resolution to reduce water pollution	RPC Sub committee working with SFWMD to craft a resolution to reduce pollutants in storm water runoff
State Actions to Date	Florida Consumer Fertilizer Task Force Recommendations adopted; • Labeling formulation requirements • Applicator certification • Model ordinance • Public education		State bill 1634 relating to the management of wastewater requiring Wastewater Compliance Section of DEP to identify sewage contamination sources		

Southwest Florida Regional Planning Council - Water Quality Improvement Initiatives

City Council and Regional Planning Council Actions

Control of polluted Water Releases Into the Estuary from Lake Okeechobee

The fight against excess releases from Lake Okeechobee being waged by
- The City of Sanibel
- Lee County
- The PURRE organization
- and, others

Improvement to the State Healthy Beach Program

Bill being submitted in the Florida State Legislator to help Ensure clean beaches throughout Florida

Reduce Urban Water Pollution Into our Rivers and Estuaries

The fight against urban pollution
A joint effort between
- The City of Sanibel
- Regional Planning Council
- Lee County

OSTDS Management: An overview of EPA management models, criteria and financing options

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Charlotte Harbor National Estuary Program

Definitions

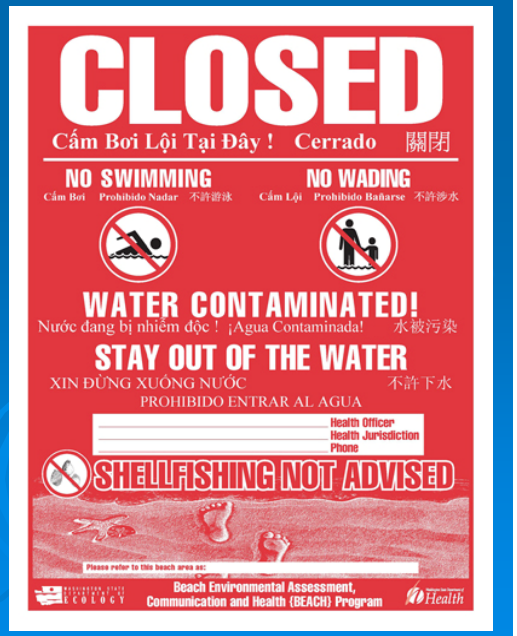
- **What is an OSTDS (Onsite Sewage Treatment and Disposal System)?**
  - Conventional Septic Systems
  - Aerobic Treatment Units
  - Advanced Systems
- **Decentralized wastewater system** — individual onsite or clustered wastewater systems (commonly referred to as septic systems or “package” plants) used to collect, treat and disperse or reclaim wastewater from individual dwellings, businesses or small communities or service areas
- **Centralized wastewater system** – managed system consisting of collection sewers and a single treatment plant used to collect and treat wastewater from an entire service area

Nutrient Pollution

- Algae Blooms
  - Some are harmful to people, pets & wildlife
  - Can kill large numbers of fish
  - Reduce water clarity
  - Reduce aesthetics & quality of life in SW Florida
  - Not good for tourism
- Nitrates harmful to babies & pregnant women

Pathogen Pollution

- Bacteria & viruses
  - No swimming
  - No Shellfish harvesting
- Potential health concerns
  - Infections
  - Stomach Illnesses
  - Hepatitis



Are OSTDS Systems a Problem?

- **Sources of Pathogens and Nutrients**
  - Include sewer leaks, septic systems, animals, fertilizers
  - expensive and difficult to trace specific sources through monitoring
- **Septic systems require maintenance**
  - Homeowners are not generally aware of proper system care
  - Manufacturers and service providers recommend pumping every 2-3 years
  - EPA - Onsite systems are a viable, environmentally friendly, cost-effective, long-term solution ***if designed, sited, and maintained properly***
- **Current local practices for siting septic systems has significantly improved since 1983**
  - older systems may have high (undetected) failure rate

Onsite systems can experience two types of failure:

- Operational Failure: system does not remove wastewater from the home
  - Can affect families health and quality of life – generally taken care of right away
- Functional Failure: system continues to remove wastewater but does not properly treat the water prior to discharge into the environment
  - Can affect communities health and water quality – generally goes unnoticed by homeowner

Hard to document functional failure: waste from OSTDS do not glow in the dark

- Currently onus on agencies to document failures
- Monitoring and analyses are expensive

Poor **management** of onsite, cluster and small treatment plants has been a driver for centralizing or regionalizing physical wastewater infrastructure for years

"The problems with decentralized and small treatment plants are not intrinsic to their physical scale, rather they reflect inadequate technical, financial and managerial capabilities of their owners or managers, problems that can be addressed with appropriate institutional mechanisms"

The Alternative Option

- **Managed OSTDS Systems**
  - Failures are detected and remedied through regular inspections and service or as a result of homeowner education
    - Human health risks are greatly reduced
    - Water Quality and Environment are protected
    - Costs
      - Dependent on management strategy and equipment
      - Maintenance is cheaper than replacement

Do we need management of OSTDS?

- Estimated 114,800 septic systems in Lee County
  - 8,675 new systems in 2006
- ~75,000 in Sarasota County
- ~50,000 in Charlotte County
- Pre-1983 systems are not properly sited
- Homeowners with little understanding of proper maintenance such as regular pump-outs
- Sensitive Environment
- Increasing Nutrients-demonstrated by algae blooms and DO crashes
- Elevated Fecal Coliform-demonstrated by shellfish and beach closures

OSTDS Management

- Incorporates plans for future
- Protects public health & water resources by ensuring pollutants are adequately treated
- Protection of homeowner's investment in property and ability to build home equity
- Protection of a community's image
- Helps with groundwater recharge
- Cost savings over the life of a system, alleviating the need for premature system replacement
- Elimination of need to use community's tax base to finance community-wide wastewater infrastructure
- Can play a part in watershed management and nutrient reductions (e.g., BMAP)

EPA on OSTDS Management to Congress in 1997

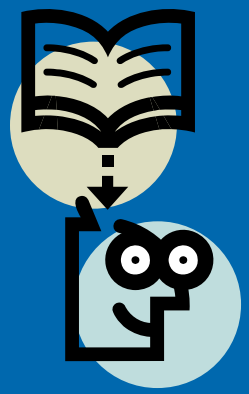
"adequately managed decentralized wastewater treatment systems can be a cost-effective and long-term option for meeting public health and water quality goals, particularly for small towns and rural areas"

- Successful programs have site evaluation, inspection and monitoring processes to ensure regulations are followed

EPA Voluntary National Guidelines for Management of Onsite & Clustered Wastewater Treatment Systems

- Prescriptive versus presumptive criteria
- 5 Management Models
- Variable levels of involvement by homeowners, maintenance providers, and regulatory agencies
- Level of environment and public health protection increases with each level
- Communities pick and choose components of each model to suit individual needs

Model 1: Homeowner Awareness



- Objectives
  - Ensure that conventional onsite systems are sited and constructed properly
  - Ensure that systems are periodically inspected and repaired when necessary by the owner
  - Inventory and Maintain records of location of all systems
  - Provide Owner/User with notices regarding operation and preventative maintenance

Model 2: Maintenance Contracts

- Objectives
  - Allow use of more complex mechanical treatment options or small clusters
  - Require maintenance service contracts between owner and maintenance provider
  - Ensures appropriate on-time maintenance by qualified professionals
  - Service contract tracking system

Model 3: Operating Permits

- Objectives
  - Renewable/revocable operating permits issued to system owners
  - Require performance measures, maintenance and submittal of reports
  - Performance criteria are set based upon environmental and health considerations
  - Allow variable designs of cluster and onsite systems
- In effect for commercial and advanced treatment systems in Florida
  - Minimum model recommended by EPA for environmentally sensitive areas (e.g. sites with poor soils, high seasonal water tables, high densities of existing systems, near surface waters or in floodplains)

Model 4: RME Operation & Maintenance

- Objective
  - Maintenance and Operations are performed by a Responsible Management Entity (RME)
    - Must be bonded, but can be public or private
  - Ensures consistent performance and maintenance of onsite systems

Model 5: RME Ownership

- Objective
  - Responsible Management Entities own, operate and maintain individual and cluster systems within specified service area
  - Provides greatest level of protection to the homeowner and to the environment
  - Similar to central sewer management

Recommendations:

- **Integrated, Comprehensive Management Plan for all Wastewater systems**
  - Inventory existing treatment systems, then decide:
    - Where will OSTDS be considered a permanent solution for wastewater treatment?
    - Where will centralized systems be constructed? Sensitive areas?
    - Regular updates as needed
  - Management—How will communities with permanent decentralized systems be managed?
    - Homeowners
    - Community Associations, cooperatives
    - Regional Management Entity (RME)
    - Local &/or State Government
  - How will management be funded?
  - Public Education
- **Prescriptive vs presumptive criteria for OSTDS siting & design regulations**

Prescriptive Criteria

- Specifies design, installation and other practices for treatment systems for specific sets of site conditions
  - Can include set backs from waterbodies and separation from groundwater table
- If system meets criteria, system is ***presumed*** to meet public health and environmental goals of community
  - Criteria do not include site and system evaluation/monitoring to determine efficacy
- Often transplanted from other jurisdictions with the assumption that the criteria would be effective in both places
  - Science needed to verify this based upon local soils and geology is often not gathered
- Criteria are sometimes incorrectly based on the assumption that centralized wastewater collection and treatment services will be available in the future
- Does not account for cumulative effects on groundwater and surface waters, esp. in high density areas

Performance Criteria

- Performance requirements can be numeric (e.g., nitrate concentrations < 15 mg/L) or narrative (e.g., no visible sewage on the ground surface or objectionable odors)
- Requires characterization of wastewater flow and pollutant loads; evaluation of site conditions; defining performance and design boundaries, and then selection of a system design that addresses these factors
- Includes requirements for evaluation/monitoring of system efficacy
- Often difficult to certify the performance of various treatment technologies under the wide range of climates, site conditions, hydraulic loads and pollutant outputs they are subjected to and to predict the fate of those pollutants in the environment

Greatest Challenge: Obtaining Adequate Funding

72% rated funding as #1 obstacle

- Sources of funding
  - 40% User and Other Fees
  - 24% Property and Other Taxes
  - 17% Operational Fees
  - 12% Other funding (includes federal grants)
  - 6% State Grants

Estimated costs

- Program of 1 inspection per every 3 years of conventional systems plus record keeping and reporting annual cost ~$30 per system
- A robustly staffed, comprehensive program in 1 community (27,000 people) cost $25 per system per year plus ~ $65 every 2-12 years for system evaluation, depending on site conditions and previous evaluation results
  - From “Valuing Decentralized Wastewater Technologies” by Rocky Mountain Institute for U.S. EPA 2004

“Financing Your Community’s Onsite Management System”

- CD available from NOPD to assist communities in identifying resources

Clean Water State Revolving Fund
U.S. Environmental Protection Agency and State Governments

- State sets own policies and procedures
- Florida 2007 Intended Use Plan
  - Non-point source pollution management
  - $300 million
- Contacts
  - Don.berryhill@dep.state.fl.us
  - Michael.murphree@dep.state.fl.us

Section 319 Non-point Source Management Program
U.S. Environmental Protection Agency

- Must be consistent with the state NPS management plan
  - Reduce non-point source pollution in SWIM waterbodies
  - Emphasis on public education about pointless personal pollution
- Contact
  - John.abendroth@dep.state.fl.us

Community Development Block Grant "Small Cities" Program

U.S. Department of Housing and Urban Development

- Facilitated through state
- Can be used to “address urgent needs that involve a serious threat to public health”
- Cities <50,000
- Counties <100,000
- Other HUD grants may also be applicable
  - Contact

    South Florida - Maria R. Ortiz, Director, Community Planning & Development Division, Miami, (305) 536-4431, ext 2223

Solutions from other States

- PA – uses state funds to provide low interest loans to homeowners for repairs
- TX – fines from pollution violations go towards funding reduction programs
- MA
  - Tax credit for homeowners that upgrade systems to meet state standards
  - CWSRF scoring procedures allows for OSTDS management plans to be competitive
- WA – allows CWSRF to fund counties with low interest loans that in turn provide low interest loans to individual homeowners for repairs

How do Septic systems measure up to Sewer?

Which is better financially?

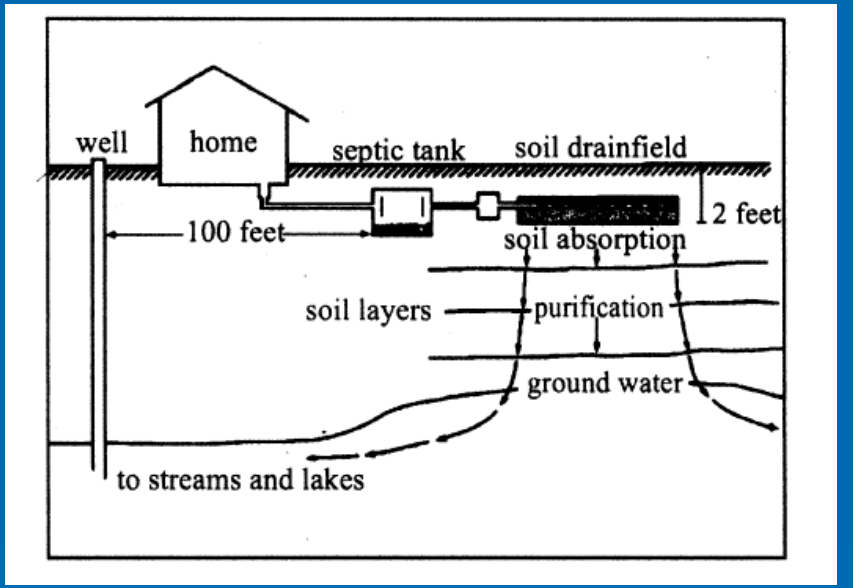
- Sewer
  - Assessment and connection fees~ $10,000
    - in some cases + interest
  - Monthly utility $13.35
    - Fixed rate with regular increases
  - Annually $160
- Septic
  - New System ~ $8,000 and up
  - Tri-annual service ~ $300

Human Health & Environmental Concerns

- Sewer
  - Large accumulation of waste
  - Point source pollution
    - Where does it discharge? Where to dispose of residuals?
  - Underground Seepage (unknown)
    - (Pinkham et al. 2004 cites water level in Charlotte County, FL sewers in some instances rise and fall with tide)
  - Harm from malfunction can be Large!
    - EPA estimates 40,000 sanitary sewer overflows (SSOs) every year
      - High rainfall, power failures, failing pumps, faulty connections
    - >4,024,000 L from WWTPs in Peace River after hurricanes Charley, Frances and Jeanne (Mallin and Corbett 2006)
    - Biscayne Bay after Hurricane Andrew (Tilmant et al. 1994)
    - Typical septic tank 1,000 gallons

Human Health & Environmental Concerns

- Septic
  - In Florida, 74% of soils have severe or very severe limitations for conventional system designs, based on USDA NRCS criteria (Florida HRS 1993)
  - Example: USDA NRCS rates most of Charlotte County soils as “severe” for septic tank usages due to ponding, percs slowly and high water table; soils typical for this area (CHEC 2003-study funded by CHNEP to look at OSTDS impacts in Peace & Myakka Rivers)



Other issues

- Sewer
  - Centralized systems are unaffordable for many small or poorer communities
    - conventional wastewater treatment facility-not counting sewers-cost to community:
      - <1,000 people approx. $15-$20k per connection
      - >10,000 people approx. $6,000 per connection (English et al. 1999)
    - Tax base could be used for other programs, infrastructure needs or investments
  - Systems can be overbuilt via development projections resulting in debt to community (e.g., Hillsborough, FL)
  - Alter hydrology (wet weather sewer overflows in some areas; water drained away in others)
  - Backlog of deferred maintenance and upgrades

The Pros & Cons…

- **Septic Pros**
  - Less Costly
  - Less Infrastructure
  - Localized small failures
  - Long lasting **when maintained**
  - Groundwater recharge
- **Traditional Septic Cons**
  - Unmanaged
  - Requires space
  - Requires proper siting
  - Failures may go unrecognized
  - Homeowners often are not familiar with proper care
- **Sewer Pros**
  - Managed treatment
  - Higher Density Development
  - Problems are easier to track
    - Point Source
  - Relies less on homeowner care
- **Sewer Cons**
  - Costly initial; prohibitive to smaller/poorer communities
  - Use govt tax base that could be used elsewhere
  - Lots of infrastructure
    – requires easements
  - Maintenance & replacement requires disruption to community
  - Failures can be huge
  - WWTP siting can be controversial
  - Where do residuals go?

Local Case Studies

Philippi Creek Septic System Replacement Program

- Sarasota County, FL
- In late 1990s FDEP found the creek impaired for nutrients and bacteria
- Older, established community built in 1950s-1980s (before DOH)
- density averaging 0.25 acre lots
- Program retrofitting ~**15,000 septics**
- 16 areas
- Started construction of project in 2001
  - Expect to finish **no earlier** than **2015**

Philippi Creek Septic System Replacement Program

- County subsidizing cost to homeowners by obtaining grants and using surtax
- **Costs: $8,000-$13,000 per connection**
  - Actual cost to homeowners: $5,000-$6,000
- Total Cost of program: **$150 million**
  - Not including transmission and treatment plant costs
  - Pumps to bring some individual houses to grade estimated lifespan 5 years

Charlotte County, FL (pop. 140,000 in 2000)

- Problem – abundance of relatively small lots in areas with high water table and poor soil conditions
  - 1988 State rejected county's comprehensive plan -> water and sewer study
  - Proposed sewer expansion to all service areas met extreme opposition due to cost and unsubstantiated need

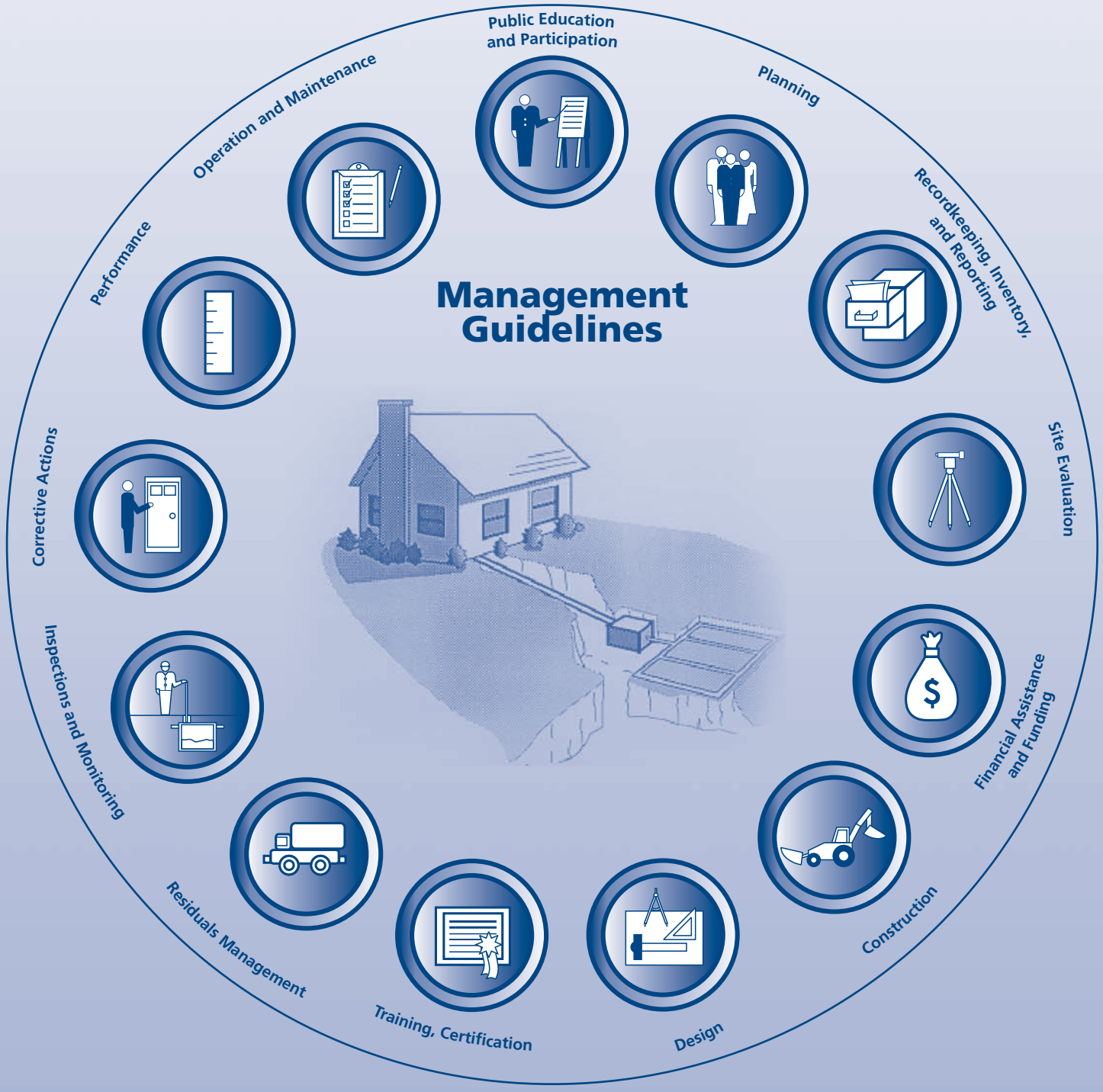
Charlotte County, FL

- Solutions
  - Revised Comprehensive Plan in 1997
  - Mini-expansions of sewer service
  - Require aerobic systems on small lots and lots near surface water, or density reduction through purchase of double lots with conservation easement – taxed for single lot
  - Planned to develop septic system management plan
  - Planned to develop water quality monitoring program
  - County Ordinance approved Oct 6, 1998.

Charlotte County, FL

- Results
  - Small scale sewer expansion targets areas where it is cost effective
  - Ordinance originally met opposition, but is now more accepted by builders and realtors.
  - County Health Department is beginning a targeted water quality monitoring program
  - Septic systems have been mapped and details cataloged in a GIS database.

Voluntary National Guidelines for Management of Onsite and Clustered (Decentralized) Wastewater Treatment Systems



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CONTENTS

Executive Summary 3

Introduction 7

Relationship to Other Water Programs 13

Description of Management Models 15

How to Apply the Management Models 21

References 25

Glossary 27

Appendix A: Management Models 31

Appendix B: Relationship to Other Water Programs 51

EXECUTIVE SUMMARY

The performance of onsite and clustered (decentralized) wastewater treatment systems is a national issue of great concern to the Environmental Protection Agency (EPA). Decentralized systems are used in 25 percent of the homes in the United States and 33 percent of new development, and they are permanent components of our nation's wastewater infrastructure. Decentralized wastewater treatment systems are defined here as managed individual onsite or clustered wastewater systems (commonly referred to as septic systems, private sewage systems, individual sewage treatment systems, onsite sewage disposal systems, or "package" plants) used to collect, treat, and disperse or reclaim wastewater from individual dwellings, businesses, or small communities or service areas. Unfortunately, many of the systems in use are improperly managed and do not provide the level of treatment necessary to adequately protect public health and surface and ground water quality. Proper management of decentralized systems involves implementation of a comprehensive, life-cycle series of elements and activities that address public education and participation, planning, performance, site evaluation, design, construction, operation and maintenance, residuals management, training and certification/licensing, inspections and monitoring, corrective actions, recordkeeping/inventorying/reporting, and financial assistance and funding.

Therefore, EPA is issuing *Voluntary National Guidelines for Management of Onsite and Clustered (Decentralized) Wastewater Treatment Systems* (referred to as the Management Guidelines) to enhance the performance and reliability of decentralized wastewater treatment systems through improved management programs. The Management Guidelines will help improve system performance by encouraging institutionalizing the concept of management; raising the quality of state, tribal, and local management programs; and suggesting minimum levels of activity. Adequately managed decentralized systems that protect the environment and public health can provide an alternative to centralized wastewater treatment systems. EPA continues to support the most sustainable approach to implementing protective water pollution control solutions whether it be centralized or decentralized. The Management Guidelines are intended to be used when a decision to implement a decentralized approach is or has been made. They complement any other applicable federal, state, tribal, or local government requirements, including the National Pollutant Discharge Elimination System (NPDES) program under the Clean Water Act (CWA) and the Underground Injection Control (UIC) program under the Safe Drinking Water Act (SDWA).

> *Decentralized systems are used in 25% of U.S. homes and are permanent components of our nation's wastewater infrastructure.*

EPA intends that state, tribal, and local authorities use the Management Guidelines, along with other applicable federal requirements, to help communities in meeting water quality and public health goals. The Management Guidelines can be integrated into a comprehensive watershed approach at the state, tribal, or local government level. The benefits of an adequate

management program include protection of water quality and public health, protection of consumers' investment in home and business ownership, increased onsite system service life and replacement cost savings, avoidance of transfers of water away from the source by conserving ground water, and elimination of the need to use a community's tax base to finance sewers. As noted above, and in more detail later in this document, proper management is a comprehensive term for achieving the long-term sustainability of a system, including adequate operation and maintenance of the system. Although implementation of the Management Guidelines is voluntary, EPA strongly encourages considering them as a template in strengthening existing management programs and implementing new ones.

Not in My Septic System!

X Cloggers
diapers, cat litter, cigarette filters, coffee grounds, grease, feminine hygiene products, etc.

X Killers
household chemicals, gasoline, oil, pesticides, antifreeze, paint, etc.

Unfortunately, although some management programs are effective, many existing state, tribal, and local rules that regulate onsite systems are not adequate to ensure proper performance. "Failure" of onsite systems is a term subject to much debate; however, 1995 U.S. Census data report that over 10 percent of all systems back up into homes or have wastewater emerging on the ground surface, and that more than half the systems in the United States were installed more than 30 years ago when onsite rules were nonexistent or poorly enforced. Few systems receive proper maintenance because homeowners are either unaware of the need for maintenance or find it a distasteful task. In addition, most regulatory programs do not require homeowner accountability for system performance after installation. Although it is difficult to measure and document specific cause-and-effect relationships between onsite wastewater treatment systems and the quality of our water resources, it is widely accepted that improperly managed systems contribute to major water quality problems. The *National Water Quality Inventory 1996 Report to Congress* states that "improperly constructed and poorly maintained septic systems are believed to cause substantial and widespread nutrient and microbial contamination to ground water." Ultimately it is the absence of a comprehensive management program addressing each of these issues that prevents onsite and clustered (decentralized) systems from being considered as an effective and reliable wastewater treatment strategy. Consequently, the potential for health and water quality problems from poorly managed systems is increasing.

Few systems receive proper maintenance… most regulatory programs do not require homeowner accountability for system performance.

If effectively implemented by state, tribal, and local governments, the Management Guidelines might provide for a viable, long-term option for meeting public health and water quality goals, particularly for small and rural communities. In addition, appropriate management programs will support the activities and approaches being used in other EPA programs and contribute toward achievement of mutual water quality and public health goals. These programs include Watershed Management, National Pollutant Discharge Elimination System, Biosolids and Residuals Management, Storm Water Management, Water Quality Management (including Total Maximum Daily Loads, or TMDLs), Water Quality Standards, Source Water Assessment and Protection, Underground Injection Control, Coastal Zone Management, Nonpoint Source Control Program, and Technology Transfer.

In deciding whether to use onsite systems, it is important to consider the risks they might pose to the

environment and public health. There may be cases where onsite systems are not appropriate because of the environmental sensitivity or public health concerns of an area. In the cases where onsite systems are appropriate, it is critical that they be managed to prevent environmental and public health impacts.

Five management models are provided as conceptual approaches with progressively increasing management controls as sensitivity of the environment and/or treatment system complexity increases (see box below). Each model consists of 13 critical elements that describe activities to be performed to achieve the management goal. The purpose of the models is to provide a guide to match the needed management controls to the potential public health and water quality risks presented by decentralized systems in a particular area. The models are flexible so that programs can be customized by substituting elements of one program into another to accommodate local needs, practices, and conditions. The models are built around ensuring the accountability and competency of regulators and service providers through certification and continuing education, owners through education and/or inspection requirements, and third-party managers through contract and permit stipulations to achieve their goals. The "best" model program for a community is not necessarily in the higher levels, but rather is the model that provides the most appropriate management controls for the potential risks.

The Five Management Models

- **Management Model 1 - "Homeowner Awareness"** specifies appropriate program elements and activities where treatment systems are owned and operated by individual property owners in areas of low environmental sensitivity. This program is adequate where treatment technologies are limited to conventional systems that require little owner attention. To help ensure that timely maintenance is performed, the regulatory authority mails maintenance reminders to owners at appropriate intervals.
- **Management Model 2 - "Maintenance Contracts"** specifies program elements and activities where more complex designs are employed to enhance the capacity of conventional systems to accept and treat wastewater. Because of treatment complexity, contracts with qualified technicians are needed to ensure proper and timely maintenance.
- **Management Model 3 - "Operating Permits"** specifies program elements and activities where sustained performance of treatment systems is critical to protect public health and water quality. Limited-term operating permits are issued to the owner and are renewable for another term if the owner demonstrates that the system is in compliance with the terms and conditions of the permit. Performance-based designs may be incorporated into programs with management controls at this level.
- **Management Model 4 - "Responsible Management Entity (RME) Operation and Maintenance"** specifies program elements and activities where frequent and highly reliable operation and maintenance of decentralized systems is required to ensure water resource protection in sensitive environments. Under this model, the operating permit is issued to an RME instead of the property owner to provide the needed assurance that the appropriate maintenance is performed.
- **Management Model 5 - "RME Ownership"** specifies that program elements and activities for treatment systems are owned, operated, and maintained by the RME, which removes the property owner from responsibility for the system. This program is analogous to central sewerage and provides the greatest assurance of system performance in the most sensitive of environments.

The legal authority for regulating onsite and clustered (decentralized) wastewater treatment systems generally rests with state, tribal, and local governments. EPA recognizes that these units of government need a flexible framework and guidance to tailor their programs to the specific needs of communities and watersheds. Although each management program model stands alone, the models are intended only to be guides in developing an appropriate management program. Activities in program elements of higher-level models may be incorporated into lower-level programs to assist the local program in achieving its desired objectives. Also, it is possible to implement more than one management program model within a jurisdiction as appropriate for the circumstances encountered, such as housing density, receiving environment characteristics, new development, high-volume or high-strength wastewaters, and so forth. Management models may also be implemented in conjunction with centralized wastewater treatment and collection. It is important to note that the management program models are not intended to supersede existing federal, state, tribal, or local laws and regulations, but rather to complement them in protecting public health and water quality.

It is important to note that the management program models are not intended to supersede existing federal, state, tribal, or local laws and regulations.

To assist state, tribal, and local units of government in evaluating and upgrading their onsite and clustered (decentralized) wastewater management programs, a draft *Handbook for Management of Onsite and Clustered (Decentralized) Wastewater Treatment Systems* (referred to as the Management Handbook) complements the Management Guidelines. The draft Management Handbook includes case studies and examples of materials used by communities that have implemented management programs effectively.

Substantial resources are available as well, including EPA's *Onsite Wastewater Treatment Systems Manual*, to assist regulatory agencies and communities in assessing the technical foundation of the elements and activities in their existing or considered management programs.

INTRODUCTION

What Is the Purpose of the Voluntary National Management Guidelines?

EPA has developed the *Voluntary National Guidelines for Management of Onsite and Clustered (Decentralized) Wastewater Treatment Systems* to raise the level of performance of onsite and clustered wastewater treatment systems through improved management programs. Decentralized wastewater treatment systems are defined here as individual onsite or clustered wastewater systems (commonly referred to as septic systems, private sewage systems, individual sewage treatment systems, onsite sewage disposal systems, or "package" plants) used to collect, treat, and disperse or reclaim wastewater from individual dwellings, businesses, or small communities and service areas. Such systems may provide an alternative to conventional centralized wastewater systems. However, any onsite or clustered wastewater treatment system that discharges pollutants from a point source to waters of the United States is subject to the National Pollutant Discharge Elimination System (NPDES) program under the Clean Water Act (CWA). Such discharge is illegal and subject to enforcement action unless it is authorized by an NPDES permit issued by an authorized state or tribe or by EPA. Onsite and clustered systems can be protective of public health and water quality if they are properly planned, sited, designed, constructed, installed, operated, and maintained. EPA is issuing this guidance to raise the quality of management programs, suggest minimum levels of activity, and encourage institutionalizing the concept of management. Implementation of the Management Guidelines can help communities meet water quality and public health goals, provide a greater range of options for cost-effectively meeting wastewater needs, and protect consumers' investment in home and business ownership. In a number of instances, decentralized wastewater treatment systems without proper management programs have failed in the long term because of lack of proper operation and/or maintenance and have had to be replaced by centralized systems. If centralized collection systems are feasible, decentralized systems are recommended only where there is assurance of an enforceable management system consistent with this strategy, including long-term financial and technical capacity for operation and maintenance.

EPA continues to support the most environmentally sound and cost-effective approach to implementing protective water pollution control solutions whether it be centralized or decentralized. The Management Guidelines are intended to be used when the decision is to implement a decentralized approach.

These Management Guidelines are not intended to supercede any otherwise applicable federal, state, tribal, or local requirements. Also, the decision on use of centralized or decentralized wastewater treatment is one to be made at the state, tribal, or local level after consideration of a number of factors.

Please note that the statutes and regulations described in this document contain legally binding requirements. The guidance provided in this document does not substitute for those statutes or regulations. These Management

Guidelines are strictly voluntary and, by themselves, do not impose legally binding requirements on EPA, state, local, or tribal governments or members of the public and, based upon the circumstances, may not apply to a particular situation. Although EPA strongly recommends the approach outlined in this document, state and local decision makers are free to adopt approaches that differ from these Management Guidelines.

What Is Management?

Management of decentralized systems is implementation of a comprehensive, life-cycle series of elements and activities that address public education and participation, planning, performance, site evaluation, design, construction, operation and maintenance, residuals management, training and certification/licensing, inspections/monitoring, corrective actions, recordkeeping/inventorying/reporting, and financial assistance and funding. Therefore, a management program involves, in varying degrees, regulatory and elected officials, developers and builders, soil and site evaluators, engineers and designers, contractors and installers, manufacturers, pumpers and haulers, inspectors, management entities, and property owners. Establishing the distinct roles and responsibilities of the partners involved is very important to ensuring proper system management.

Who Can Benefit from the Management Guidelines?

The Management Guidelines contain a set of management models, based on a comprehensive approach that relies on coordinating responsibilities and actions among the state, tribal, or local regulatory agency, the management entity or service provider, and the system owner. EPA recognizes the importance of each party in improving management programs and encourages identification of distinct and separate roles and responsibilities when implementing management programs. The primary audiences for these Management Guidelines are state, tribal, and local regulators and community officials who are responsible for regulating onsite and clustered systems. The secondary audiences include planners, designers, installers, operators, pumpers, haulers, management entities, and inspectors.

In particular, local communities with a need to improve system performance should consider these Management Guidelines as a first step in evaluating their existing programs. EPA also encourages state and tribal agencies that regulate onsite and clustered systems to evaluate their existing programs and address the program elements and activities detailed in these management models in their regulatory/management function. Although very important to implementation of a management program, owner responsibilities are not discussed here in detail. Materials to help owners improve management of their systems are provided in EPA's draft Management Handbook, which is being issued concurrently with these Management Guidelines.

To What Types of Systems Are the Guidelines Relevant?

The Management Guidelines are relevant to both existing communities and areas of new development that use onsite and clustered systems of any size for

residential and commercial wastewater treatment and dispersal. Centralized collection and treatment facilities are not addressed here. Industrial wastewater treatment systems are also not addressed because many industrial wastes are prohibited by federal and state regulation from using onsite treatment and dispersal, because of the potential to interfere with wastewater treatment, and/or to pollute ground water resources.

These Management Guidelines are not intended to be used to determine appropriate or inappropriate uses of land. The information in the Management Guidelines is intended to be used to help select appropriate management strategies and technologies that minimize risks to human health and water resources in areas where connections to centralized wastewater collection and treatment systems are not considered appropriate. The determination of appropriate siting requirements, system density restrictions, or required technologies is a state, tribal, or local decision. Substantial resources are available to ensure these decisions are sound; they are detailed in the draft Management Handbook.

What Are Management Guidelines?

These Management Guidelines consist of five models that are structured to reflect an increasing need for more comprehensive management as the sensitivity of the environment or the degree of technological complexity increases. A management program's intensity increases progressively from one management model to another, reflecting the increased level of management activities needed to achieve water quality and public health goals. A community would establish a management level that is sufficient for its management needs. Although adoption of the Management Guidelines is voluntary, EPA strongly encourages communities to consider the Management Guidelines as a basis for their onsite and clustered wastewater management programs because of the public health and water quality concerns associated with these systems.

Why Are Management Guidelines Needed?

The performance of onsite and clustered wastewater treatment systems is a national issue of great concern to EPA. Onsite and clustered wastewater treatment systems serve approximately 25 percent of U.S. households (about 25 million) and approximately 33 percent of new development.[1] Onsite and clustered systems can provide a high level of public health and natural resource protection if they are properly planned, sited, designed, constructed, operated, and maintained.

> *More than half the existing onsite systems are over 30 years old, and surveys indicate at least 10 percent of these systems back up onto the ground surface or into the home each year.*

Unfortunately, many of the systems in use do not provide the level of treatment necessary to adequately protect public health or surface and ground water quality. Many were initially sited and installed as temporary solutions as a result of the perception that centralized treatment and collection would soon replace them. Comprehensive, life-cycle management did not play a role in the approval or the ongoing operation of many systems. More than half the existing onsite systems are over 30 years old, and surveys indicate at least 10 percent of these systems back up onto the ground surface or into the home each year.[1] Other data have shown that at least 20 percent of systems are malfunctioning to some degree.[2] In most cases the homeowner is not aware

of a system failure until sewage backs up into the home or breaks out on the ground surface. In many places, local authorities lack records of many of the systems in the service area.

Although it is difficult to measure and document specific cause-and-effect relationships between onsite wastewater treatment systems and the quality of our water resources, it is widely accepted that improperly managed systems (resulting from inadequate siting, design, construction, installation, operation, and/or maintenance) contribute to major water quality problems. As documentation becomes available concerning the source of impairments, EPA will be better able to determine the extent of the relationship. It is already evident that improved operation and performance of onsite and clustered systems through better management practices will be essential if the nation's water quality and public health goals are to be attained.

In the *National Water Quality Inventory: 1996 Report to Congress,* state agencies designated the top 10 potential contaminant sources that threaten their ground water resources. The second most frequently cited contamination source was septic systems. The report states that "improperly constructed and poorly maintained septic systems are believed to cause substantial and widespread nutrient and microbial contamination to ground water." Other contaminant sources identified by states included underground storage tanks, landfills, large industrial facilities, and numerous other activities.[3] States also identified more than 500 communities in the *1996 Clean Water Needs Survey*[4] as having failed septic systems that have caused public health problems. In 1996 states reported septic systems as a leading source of pollution for more than one-third (36 percent) of the impaired miles of ocean shoreline surveyed.[3] Other leading sources included urban runoff and storm sewers, municipal sewer discharges, and industrial point sources. In U.S. classified shellfish growing areas, closures and harvest restrictions have occurred primarily because of "the concentration of fecal coliform bacteria associated with human sewage and with organic wastes from livestock and wildlife." The 1995 National Shellfish Register indicated that the most common pollution source cited for shellfish restrictions was urban runoff (principal or contributing factor in 40 percent of all harvest-limited growing areas), followed by unidentified upstream sources (39 percent), wildlife (38 percent) and septic tanks (32 percent).[5] Onsite wastewater treatment systems might also be contributing to an overabundance of nutrients in ponds, lakes, and coastal estuaries, leading to overgrowth of algae and other nuisance aquatic plants. For example, the 45,000 septic systems in Sarasota County, Florida, contribute four times more nitrogen to Sarasota Bay than the City of Sarasota's advanced wastewater treatment plant.[6]

The second most frequently cited contamination source (of ground water) is septic systems.

Onsite and clustered wastewater treatment systems also contribute to contamination of drinking water sources. EPA estimates that 168,000 viral illnesses and 34,000 bacterial illnesses occur each year as a result of consumption of drinking water from systems that rely on improperly treated ground water.[7] The contaminants of primary concern in EPA's study of ground water-based drinking water systems are waterborne pathogens from fecal contamination. Malfunctioning septic systems are identified as a potential source of this contamination;

other sources could include leaking or overflowing sanitary sewer lines, as well as storm water runoff. A recent example of contamination involved nearly 800 visitors to a fair in Washington County, New York, who became ill after consuming water from a well source that had likely been contaminated by a septic system at an adjacent dormitory. Other examples in which pollution was attributed to septic systems include 82 cases of shigellosis resulting from a contaminated well in Island Park, Idaho, in 1995; 46 cases of hepatitis A from a privately owned water supply in Racine, Missouri; and 49 cases of hepatitis A in Lancaster, Pennsylvania, in 1980.[8] EPA is concerned about the presence of nitrates in ground water, particularly in rural areas where residents must rely on individual wells and onsite systems to serve relatively small lots.

What Are the Benefits of a Management Program?

Benefits of a management program are accrued by both the communities developing effective management programs and the individual property owners. They include the following:

- ***Protection of public health and local water resources.*** Although unquantified, septic system failures in the form of yard backups have been recognized as a public health hazard and an insult to natural resources for many years. Improved management practices will minimize the occurrence of failures by ensuring (with proper planning, siting, design, installation, operation and maintenance, and monitoring) that pollutants are adequately treated and dispersed into the environment, thereby reducing risks to public health and local water resources.

- ***Protection of property values.*** There are many documented instances over the past few decades of property values increasing in areas formerly served by failing onsite systems after the area has been sewered. Management programs offer an opportunity to obtain the same level of service and aesthetics as sewered communities at a fraction of the cost, thus providing property appreciation and cost savings.
- ***Ground water conservation.*** A well-managed onsite system will contribute to ground water recharge. Many areas of the United States that have undergone rapid development and sewering are experiencing rapidly declining water tables or water shortages because ground water is no longer being recharged by onsite systems.
- ***Preservation of tax base.*** A well-managed onsite system will prevent small communities from having to finance the high cost of centralized sewers. Many small communities have exhausted their tax base, at the expense of other public safety and education programs, to pay for those sewers. Many communities then entice growth in an effort to pay for the systems, thus destroying the community structure that originally attracted residents.

- ***Life-cycle cost savings.*** There is a clear indication that in many cases management may pay for itself in terms of lower failure rates and alleviation of the need for premature system replacement; however, this will depend on the types of systems employed and the management program chosen. Documentation of that savings is only now being initiated.

How Were the Management Guidelines Developed?

In April 1997 EPA published its *Response to Congress on Use of Decentralized Wastewater Treatment Systems,* which concluded that, overall, "adequately managed decentralized wastewater treatment systems are a cost-effective and long-term option for meeting public health and water quality goals, particularly in less densely populated areas [small and rural communities]."[9] EPA stated that both centralized and decentralized system alternatives should be considered when upgrading failing onsite systems. The report found that decentralized systems can protect public health and the environment, typically have lower capital and maintenance costs for low-density communities, are appropriate for varying site conditions, and are suitable for ecologically sensitive areas when adequately managed.

> *Adequately managed decentralized wastewater treatment systems are a cost-effective and long-term option for meeting public health and water quality goals.*

More important, EPA identified several major barriers to the increased use of these systems, including the lack of adequate management programs. Most onsite and clustered systems are regulated at the state, tribal, or local level, not at the federal level, and there is a great deal of inconsistency in the regulatory approaches. Many existing management programs are inadequate or too narrow in focus, allowing premature system failures to occur. Although the varying reasons for system failure may include shortcomings in siting, design, construction, operation, or maintenance, it is ultimately the absence of a comprehensive management program—which addresses each of these issues—that prevents onsite and clustered systems from reaching their potential as an effective, reliable wastewater treatment strategy.

RELATIONSHIP TO OTHER WATER PROGRAMS

These Management Guidelines will help support the activities and approaches being applied in several other EPA programs and contribute toward achieving mutual water quality objectives and public health protection goals. The Management Guidelines complement any applicable regulatory authority under the Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Coastal Zone Management Act/Coastal Zone Act Reauthorization Amendments of 1990 (CZMA/CZARA), or any other federal law. For example, there are certain situations where use of these Management Guidelines includes authorization under an NPDES permit, which is required for all discharges of pollutants from a point source to waters of the United States.

Related programs include, among others, Watershed Management, National Pollutant Discharge Elimination System, Biosolids and Residuals Management, Storm Water Management, Water Quality Management (including Total Maximum Daily Loads, or TMDLs), Water Quality Standards, Source Water Assessment and Protection, Underground Injection Control, Coastal Zone Management, Nonpoint Source Control Program, and Technology Transfer. The relationship of the Management Guidelines to these companion programs is summarized in Appendix B.

DESCRIPTION OF MANAGEMENT MODELS

Introduction

The Management Guidelines consist of a series of five management models. As the models progress from the Homeowner Awareness Model to the Responsible Management Entity (RME) Ownership Model, they reflect the need for improved management practices and increased oversight as determined by the complexity of treatment systems employed and the potential risks to public health and water resources. For example, the Homeowner Awareness Model recommends management practices for areas where the risks to public health and water resources are low and the suitable treatment technologies are passive and robust. The RME Ownership Model, on the other hand, defines an appropriate level of practice and oversight for communities where there are significant risks to public health or water resources. Table 1, "Summary of Management Models," presents a brief description of each management model. The table presents the management program objectives, provides a brief description of the types of systems applicable, and lists the major benefits and limitations of each of the five management models.

Key Concepts

The Management Guidelines contain certain key concepts that are the foundation of changes needed to improve the performance of decentralized wastewater treatment systems (see box above). These concepts are imbedded in the activities of each management model and have the potential to make a difference in the field.

Key Concepts

- **An increase in the level of management as the level of risk and technical complexity increase**
- **Inventorying** existing systems and their level of performance as a minimum
- **Operating permits** for large systems and clusters of onsite systems
- **Discharge permits** for systems that discharge to surface waters
- Increased requirements for **certification and licensing** of practitioners
- Elimination of **illicit discharges** to storm drains or sewers

Management Models

Tables 1 through 5 in Appendix A describe the management models, which include the objective or goal to be reached and an accompanying set of program elements and activities appropriate for achieving the stated objectives. The management models provide benchmarks for a state, tribal, or local unit of government to (1) select appropriate management objectives to meet its wastewater treatment needs, (2) evaluate the strengths and weaknesses of its current program in achieving the desired objectives, (3) design a management program and activities needed to meet unique local

Table 1: Summary of Management Models

TABLE 1: SUMMARY OF MANAGEMENT MODELS

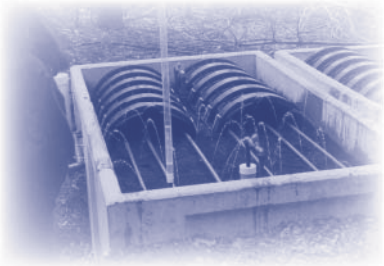
TYPICAL APPLICATIONS	PROGRAM DESCRIPTION	BENEFITS	LIMITATIONS
MODEL 1 - HOMEOWNER AWARENESS MODEL			
• Areas of low environmental sensitivity where sites are suitable for conventional onsite systems.	• Systems properly sited and constructed based on prescribed criteria. • Owners made aware of maintenance needs through reminders. • Inventory of all systems	• Code-compliant system. • Ease of implementation; based on existing, prescriptive system design and site criteria. • Provides an inventory of systems that is useful in system tracking and area-wide planning.	• No compliance/problem identification mechanism. • Sites must meet siting requirements. • Cost to maintain database and owner education program.
MODEL 2 - MAINTENANCE CONTRACT MODEL			
• Areas of low to moderate environmental sensitivity where sites are marginally suitable for conventional onsite systems due to small lots, shallow soils, or low-permeability soils. • Small clustered systems.	• Systems properly sited and constructed. • More complex treatment options, including mechanical components or small clusters of homes. • Requires service contracts to be maintained. • Inventory of all systems. • Service contract tracking system.	• Reduces the risk of treatment system malfunctions. • Protects homeowner investment.	• Difficulty in tracking and enforcing compliance because it must rely on the owner or contractor to report a lapse in a valid contract for services. • No mechanism provided to assess effectiveness of maintenance program.
MODEL 3 - OPERATING PERMIT MODEL			
• Areas of moderate environmental sensitivity such as wellhead or source water protection zones, shellfish growing waters, or bathing/ water contact recreation. • Systems treating high-strength wastes or large-capacity systems.	• Establishes system performance and monitoring requirements. • Allows engineered designs but may provide prescriptive designs for specific receiving environments. • Regulatory oversight by issuing renewable operating permits that may be revoked for noncompliance. • Inventory of all systems. • Tracking system for operating permit and compliance monitoring. • Minimum for large-capacity systems.	• Allows systems in more environmentally sensitive areas. • Operating permit requires regular compliance monitoring reports. • Identifies noncompliant systems and initiates corrective actions. • Decreases need for regulation of large systems. • Protects homeowner investment.	• Higher level of expertise and resources for regulatory authority to implement. • Requires permit tracking system. • Regulatory authority needs enforcement powers.
MODEL 4 - RESPONSIBLE MANAGEMENT ENTITY (RME) OPERATION AND MAINTENANCE MODEL			
• Areas of moderate to high environmental sensitivity where reliable and sustainable system operation and maintenance (O&M) is required, e.g., sole source aquifers, wellhead or source water protection zones, critical aquatic habitats, or outstanding value resource waters. • Clustered systems.	• Establishes system performance and monitoring requirements. • Professional O&M services through RME (either public or private). • Provides regulatory oversight by issuing operating or NPDES permits directly to the RME. (System ownership remains with the property owner.) • Inventory of all systems. • Tracking system for operating permit and compliance monitoring.	• O&M responsibility transferred from the system owner to a professional RME that is the holder of the operating permit. • Identifies problems needing attention before failures occur. • Allows use of onsite treatment in more environmentally sensitive areas or for treatment of high-strength wastes. • Can issue one permit for a group of systems. • Protects homeowner investment.	• Enabling legislation may be necessary to allow RME to hold operating permit for an individual system owner. • RME must have owner approval for repairs; may be conflict if performance problems are identified and not corrected. • Need for easement/right of entry. • Need for oversight of RME by regulatory authority.
MODEL 5 - RESPONSIBLE MANAGEMENT ENTITY (RME) OWNERSHIP MODEL			
• Areas of greatest environmental sensitivity where reliable management is required. Includes sole source aquifers, wellhead or source water protection zones, critical aquatic habitats, or outstanding value resource waters. • Preferred management program for clustered systems serving multiple properties under different ownership (e.g., subdivisions).	• Establishes system performance and monitoring requirements. • Professional management of all aspects of decentralized systems through public/private RMEs that own or manage individual systems. • Qualified, trained, owners and licensed professional owners/operators. • Provides regulatory oversight by issuing operating or NPDES permit. • Inventory of all systems. • Tracking system for operating permit and compliance monitoring.	• High level of oversight if system performance problems occur. • Simulates model of central sewerage, reducing the risk of noncompliance. • Allows use of onsite treatment in more environmentally sensitive areas. • Allows effective area-wide planning/watershed management. • Removes potential conflicts between the user and RME. • Greatest protection of environmental resources and owner investment.	• Enabling legislation and/or formation of special district may be required. • May require greater financial investment by RME for installation and/or purchase of existing systems or components. • Need for oversight of RME by regulatory authority. • Private RMEs may limit competition. • Homeowner associations may not have adequate authority.

Note: If applicable, NPDES requirements under the CWA or UIC requirements under the SDWA supercede any less stringent or inconsistent provision.

objectives, and (4) develop a plan for implementing the management program. The draft Management Handbook, which is being issued concurrently with these Management Guidelines, provides detailed guidance on how to select, evaluate, develop, and implement the Management Guidelines.

Evaluation of Risk

In deciding whether to use onsite systems, it is important to consider the risks they may pose to the environment and public health. There may be cases where onsite systems are not appropriate because of the environmental sensitivity or public health concerns of an area. In the cases where onsite systems are appropriate, it is critical that they be managed to prevent environmental and public health impacts. All of the management models share the common goal of ensuring that public health and water resources are protected. Effective implementation of management programs requires coordination among state, tribal, and local water quality, public health, and planning and zoning agencies, and community officials. EPA continues to encourage this coordination on a watershed basis. Zoning ordinances and land use planning are also mechanisms that state, tribal, and local governments use to address water resource issues. Coordination is necessary as well to help ensure that state, tribal, and local decentralized wastewater programs are managed on a watershed basis to achieve protection consistent with applicable state and tribal water quality standards, including pathogen and nutrient criteria. EPA believes that these goals are best achieved where performance-based management of onsite and clustered systems has been implemented to protect the quality of the receiving watershed and/or aquifer.



EPA recognizes that these units of government need a flexible framework and guidance to best tailor their management programs to the specific needs of the community and the needs of the watershed.

Flexibility Needed for Implementation

The legal authority for regulating onsite and clustered systems generally rests with state, tribal, and local governments. EPA recognizes that these units of government need a flexible framework and guidance to best tailor their management programs to the specific needs of the community and the needs of the watershed. Although each management model stands alone, the models are intended only to be guides in developing an appropriate management program. Activities shown in program elements from one management model may be incorporated into another model to enhance the effectiveness of local programs in achieving the desired objectives under the prevailing circumstances. However, substituting activities from higher levels into lower-level management programs should be carefully considered because of the interdependence of many activities on overall program capabilities. It is also possible to implement more than one management model, as appropriate, within a jurisdiction for the circumstances encountered (housing density, site and soil characteristics, and treatment technology complexity). Further, it is important to note that these management

models are not intended to supersede existing federal, state, tribal, and local laws and regulations, but rather to complement their role in protecting public health and water quality.

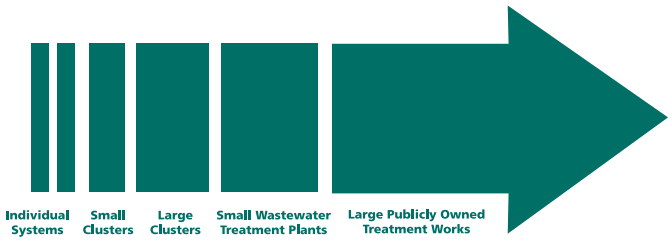
Roles and Responsibilities

Governmental roles and authority in implementation of management programs based on the Management Guidelines will vary from jurisdiction to jurisdiction. Application of the NPDES program under the CWA is required if there is a discharge of pollutants from a point source to a water of the United States. Similarly, application of the UIC program under the SDWA is required if a large-capacity system is subject to UIC controls. The provisions of the program elements in each model may inform the state, tribe, or EPA in establishing NPDES permit requirements if the NPDES program is applicable. In many cases states will establish the authority for creation of management entities, provide funding, and provide technical assistance and training to local governments. The local governments would then have primary responsibility for implementation of the management program. If a decentralized system is required to have an NPDES permit and an authorized state or tribe is administering a decentralized management program under this strategy, the requirements of the program should be incorporated into the applicable NPDES permit, which is the primary regulatory instrument. If a state or tribe administering the program is not an authorized NPDES authority, the requirements of the program should be submitted to the NPDES permit issuing authority as a Section 401 certification requirement. If the program is being administered by a local authority or by a tribe without 401 certification ability, the requirements of the program should be recommended to the NPDES permit issuing authority for inclusion in the facilities permit. There are some cases, however, where the states themselves have the primary role and authority to implement the regulatory program at the local level.

Costs

State, tribal, and local governments must recognize that it is likely that both the regulatory authority and the property owner will face increased costs in improving management practices and programs. The cost impacts may increase as the level of management increases; however, trade-offs exist. Costs incurred by the regulatory authority and/or management entity may be offset by increased permit fees and more efficient data management tools, while the costs to the property owner may be offset by reduced repair and replacement costs, avoidance of environmental restoration costs, and increased property values and quality of life.

The Wastewater Management Continuum



Model 1 - The Homeowner Awareness Model

As a minimum level of management, EPA recommends **Model 1 - The Homeowner Awareness Model**. This program specifies appropriate management practices where treatment systems are owned and operated by individual property owners in areas of low environmental sensitivity, i.e., no restricting site or soil conditions such as shallow water tables or drinking water wells within locally determined horizontal setback distances. This model is applicable where treatment technologies are limited to conventional systems, which are passive and robust treatment systems that can provide acceptable treatment under suitable site conditions despite a lack of attention by the owner. Failures that might occur and continue undetected will pose a relatively low level of risk to public health and water resources. The objectives of this management model are to ensure that all systems are sited, designed, and constructed in compliance with sound, prevailing rules; all systems are documented and inventoried by the regulatory authority; and system owners are informed of the maintenance needs of their systems through timely reminders. The model is intended to provide an accurate record of the types and location of installed systems, to raise homeowners' awareness of basic system maintenance requirements, and to better ensure that the homeowners attend to those deficiencies that overtly threaten public health. This model, like all management programs described in this guidance, suggests the use of only trained and licensed/certified service providers. This model is a starting point for enhancing management programs because it provides communities with a good database of systems and their application for determining whether increased management practices are necessary.

Model 2 - The Maintenance Contract Model

EPA recommends **Model 2 - The Maintenance Contract Model** where more complex system designs are employed to enhance the capacity of conventional systems to accept and treat wastewater or where small clusters are used. For example, pretreating wastewater to remove nonbiodegradable materials and particulate matter that typically pass through a septic tank may enhance subsurface infiltration system performance on marginally suitable sites (sites with limited area, slowly permeable soils, or shallow water tables). However, such pretreatment units can have mechanical components and sensitive treatment processes, which require routine observation and maintenance if they are to perform satisfactorily. Maintenance of these more complex systems is critical to sustaining acceptable protection in these areas of greater environmental sensitivity. Therefore, these systems should be allowed only where trained operators are under contract to perform timely operation and maintenance. The objectives of this model build on the Homeowner Awareness Model by ensuring that property owners maintain maintenance contracts with trained operators.

Model 3 - The Operating Permit Model

EPA recommends **Model 3 - The Operating Permit Model** where sustained performance of onsite wastewater treatment systems is critical to protect public health and water quality. Examples of locations where this program might be appropriate include areas adjacent to estuaries or lakes where excessive nutrient concentrations may be a concern or situations where a source water assessment has identified onsite systems as potential threats to drinking water supplies. EPA strongly recommends that this be the minimum model used where large-capacity systems or systems treating high-strength wastewaters are present. EPA has determined not to regulate large-capacity onsite systems under the Underground Injection Control program at this time based on the belief that implementation of these Management Guidelines can ensure adequate protection of public health and the environment.[10] A principal objective of this management program is to ensure that the onsite wastewater treatment systems continuously meet their performance criteria. Limited-term operating permits are issued to the property owner and are renewable for another term if the owner demonstrates that the

system is in compliance with the terms and conditions of the permit. In subareas where it is appropriate to use conventional onsite system designs, the operating permit may contain only a requirement that routine maintenance be performed in a timely manner and the condition of the system be inspected periodically. With complex systems, the treatment process will require more frequent inspections and adjustments, so process monitoring may be required. An advantage to implementing the program elements and activities of this management program is that the design of treatment systems is based on performance criteria that are less dependent on site characteristics and conditions. Therefore, systems can be used safely in more sensitive environments if their performance meets those requirements reliably and consistently. The operating permit provides a mechanism for continuous oversight of system performance and negotiating timely corrective actions or levying penalties if compliance with the permit is not maintained. To comply with these performance standards, the property owner should be encouraged to hire a licensed maintenance provider or operator.

Model 4 - The Responsible Management Entity (RME) Operation and Maintenance Model

EPA recommends **Model 4 - The Responsible Management Entity (RME) Operation and Maintenance Model** where large numbers of onsite and clustered systems must meet specific water quality requirements because the sensitivity of the environment is high, e.g., wellhead protection areas or shellfish waters. Frequent and highly reliable operation and maintenance is required to ensure water resource protection. Issuing the operating permit to an RME instead of the property owner provides greater assurance of control over performance compliance. This allows the use of performance-based systems in more sensitive environments than the Operating Permit Model. For a service fee, an RME takes responsibility for the operation and maintenance. This approach can reduce the number of permits and the administration functions performed by the regulatory authority. System failures are also reduced as a result of routine and preventive maintenance. The operating permit system is identical to that of the Operating Permit Model except that the permittee is a public or private RME. States may need to establish (and some already have) a regulatory structure to oversee the rate structures that RMEs establish and any other measures that a public services commission would normally undertake to manage private entities in noncompetitive situations.

Model 5 - The Responsible Management Entity (RME) Ownership Model

Model 5 - The Responsible Management Entity (RME) Ownership Model is a variation of the RME operation and maintenance concept in the RME Operation and Maintenance Model, with the exception that ownership of the system is no longer with the property owner. The designated management entity owns, operates, and manages the decentralized wastewater treatment systems in a manner analogous to central sewerage. Under this approach, the RME maintains control of planning and management, as well as operation and maintenance. This management model is appropriate for environmental or public health conditions similar to those for the RME Operation and Maintenance Model, but Model 5 provides a higher level of control of system performance. It also reduces the likelihood of disputes that can occur between the RME and the property owner in the RME Operation and Maintenance Model when the property owner fails to fully cooperate with the RME. The RME can also more readily replace existing systems with higher-performance units or clustered systems when necessary. EPA recommends implementation of the management practices detailed in the RME Ownership Model in cases such as where new, high-density development is proposed in the vicinity of sensitive receiving waters. States might need to establish a regulatory structure to oversee the rate structures that RMEs establish and any other measures that a public services commission would normally undertake to manage entities in noncompetitive situations.

HOW TO APPLY THE MANAGEMENT MODELS

Tables 1 through 5 in Appendix A provide brief descriptions of specific activities to be undertaken for the various program elements of a management model. The party that has primary responsibility for the activities is also identified. The program elements and activities listed for each management model are considered to be the minimum elements and activities necessary to achieve the stated management objectives for each model. A detailed discussion of the program elements and activities is provided in the draft Management Handbook. The handbook complements the Management Guidelines and helps states, tribes, and local communities that wish to evaluate and upgrade their existing programs to develop and implement improved management programs. The draft Management Handbook includes case studies and examples of materials used by communities that have adequately implemented management programs.

How Do the Models Apply to Local Conditions?

As previously indicated, the management model a particular community or service area selects should be based on environmental sensitivity, public health risks, the complexities of the wastewater treatment technologies that might or should be implemented, and the size or density of development. The management model is selected after the decision to use decentralized wastewater treatment is made. The tables in Appendix A generally describe recommended activities for each of the management elements associated with the management models. How each of these elements and activities will be implemented will depend on decisions by the local community and regulatory authority, based on generally accepted onsite wastewater science and practice, locally appropriate statutes, ordinances, institutional structures, technical capabilities, public preferences, and other factors. Thus, the general framework for a local management program should be derived from the tables, but it must be tailored to suit local circumstances and preferences.

Selection of the management model is made after the decision to use decentralized wastewater treatment is made.

The general framework for a local management program should be derived from the tables, but it must be tailored to suit local circumstances and preferences.

EPA recognizes the varied nature of management needed across the country and within states and localities, the need for flexibility in adopting the recommendations of the Management Guidelines, and the lack of resources for implementation. Although states, tribes, and local communities are encouraged to implement management models, an individual program may properly include elements of several management models. These hybrid or combination programs may be appropriate where site conditions vary within the community or institutional capacity is not uniform within the jurisdiction. It is also recommended that appropriate levels of management for decentralized systems be established in jurisdictions that have both centralized and decentralized wastewater treatment. In some cases,

it might be feasible for the entity that manages the centralized wastewater treatment facility to manage the decentralized systems as well.

How Can a Community Phase In a Management Model?

Targeting of specific types of systems for improved management may also be appropriate when resources are limited and a phased approach that focuses on priority systems is preferred. When there are limited resources for monitoring efforts, a widely used approach has been to initially target higher-density or environmentally sensitive areas. Examples of environmentally sensitive areas include areas used for drinking water sources, areas adjacent to heavily used lakes and beaches, and areas that affect coral reefs or shellfish beds. Any approach taken should include input from all the stakeholders in a local jurisdiction or watershed.

The implementation of higher levels of management will often occur in progressive stages, as more performance data and experience with systems develop, public awareness and support increase, and the capability of state, tribal, and local institutions to deal with management challenges builds over time. Implementation of the elements and activities recommended by the Homeowner Awareness Model as the threshold level of management will not only raise the quality of management practices for most existing programs but also initiate activities (such as an inventory of systems) that allow the community to identify and address circumstances that might require upgrading to higher levels of management.

Although the Homeowner Awareness Model might adequately address conventional systems within low-risk segments of a service area, there might be other areas of higher risk that require higher levels of management. For those areas, a higher-level management model, more appropriate for areas with higher sensitivities, may be incorporated into the overall management program to customize system management to the needs of the community or service area. It is important that the management program be structured to adequately manage an appropriate set of onsite and clustered systems for the full range of environmental conditions. For example, the Operating Permit Model might be selected for the more sensitive areas such as those along lakefronts or estuaries shown to have poor water quality, while a lower-level management model might still be appropriate where the receiving environment is not as sensitive and conventional systems are acceptable.

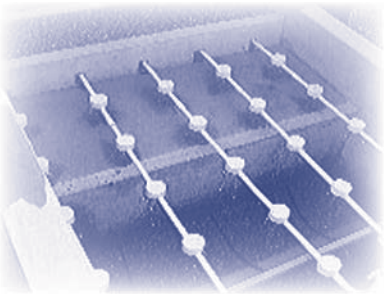
> *Targeting of specific types of systems for improved management may also be appropriate when resources are limited.*

What Should Be Considered When Selecting a Management Model?

- ***Environmental sensitivity and public health risk.*** The locally developed management program should be based on the potential risk of onsite wastewater treatment system discharges adversely affecting the public health or the quality of local water resources. The level of oversight incorporated into the management program should increase as the potential for negative impacts on public health or for environmental degradation increases. Examples of parameters to consider in assessing public health and environmental sensitivity include soil permeability, depth to a restrictive horizon and ground water, aquifer type, receiving water use, proximity to surface waters, topography, geology, location of critical habitat under the Endangered Species Act, and density of development. Another useful parameter to consider

is the "susceptibility determinations" that states and tribes will make as part of their source water assessments. These assessments determine which potential sources of pollution, including decentralized wastewater systems, pose the greatest threats to drinking water.

Other issues to consider that might have a direct impact on public health include the need to protect shellfish harvesting and direct contact recreational waters. An area with moderately permeable soils and a ground water table that is sufficiently isolated from the effects of onsite discharges may be designated as an area of low public health risk and environmental sensitivity, whereas an area with excessively permeable soils with a shallow water table used for a drinking water source would be designated as an area of high concern. For those watersheds where a determination has been made that the onsite wastewater treatment system is contributing to a violation of water quality standards, the elements and activities of the Operating Permit Model, the RME Operation and Maintenance Model, or the RME Ownership Model should be selected to address restoration of the watershed. More detailed information on these factors is provided in the draft Management Handbook.



- ***Complexity of treatment system.*** The complexity of the treatment system also influences the management program selected. As the complexity of a treatment system increases to meet management objectives or system performance standards, the need for a higher level of operation and maintenance and monitoring increases to ensure that the system does not malfunction to create an unacceptable risk to public health or water resources. A less complex treatment system, such as a conventional onsite septic system, depends upon passive, natural processes for the movement, treatment, and dispersal of wastewater. The prescriptive elements of the Homeowner Awareness Model, where properly applied, might be sufficient for conventional onsite technologies to consistently function as effective wastewater treatment systems. A more complex treatment system, such as a surface discharging aerobic treatment system with filtration and disinfection, will require routine monitoring and attention from a professional technician to maintain performance and therefore requires a higher level of oversight. EPA's updated *Onsite Wastewater Treatment Systems Manual*[11] provides guidance on performance and management requirements for a broad range of onsite treatment and dispersal technologies. System size also influences the management model selected. Large-capacity and clustered systems require a higher degree of management than individual onsite systems.

> *EPA's updated* Onsite Wastewater Treatment Systems Manual, *provides guidance on performance and management requirements for a broad range of onsite treatment and dispersal technologies.*

Communities that have made the decision to use onsite and clustered systems should use these Management Guidelines as a tool for identifying approaches for proper management of the systems. Implementation of the management practices defined in the Management Guidelines will help communities meet water quality and public health goals, provide a greater range of options for cost-effectively meeting wastewater needs, and protect consumers' investment in home and business ownership. Tables 1 through 5 in Appendix A provide a useful summary of the program elements for each management model and the associated responsible party and activity. The draft Management Handbook provides further detail on how to implement the management programs and is

designed to assist state, tribal, and local officials; service providers; and other interested parties with improving system operation, maintenance, and performance.

Where Can Further Information Be Obtained?

Visit EPA's Web site on decentralized wastewater treatment at www.epa.gov/owm/onsite. The site includes a copy of the draft Management Handbook, fact sheets on technologies, useful links to other sites, a calendar of events, frequently asked questions, sources of funding information on demonstration projects, and numerous reference documents such as EPA's new *Onsite Wastewater Treatment Systems Manual*.

Additional copies of this document, (EPA 832-B-03-001), can be obtained from:

U.S. EPA Publications Clearinghouse
P.O. Box 42419
Cincinnati, OH 45242
Telephone: 800-490-9198
Fax: 513-489-8695

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GLOSSARY

Aerobic Treatment Unit (ATU): A mechanical wastewater treatment unit that provides secondary wastewater treatment for a single home, a cluster of homes, or a commercial establishment by mixing air (oxygen) and aerobic and facultative microbes with the wastewater. ATUs typically use a suspended growth process (such as activated sludge-extended aeration and batch reactors), a fixed-film process (similar to a trickling filter), or a combination of the two treatment processes.

Alternative Onsite Treatment System: A wastewater treatment system that includes components different from those typically used in a conventional septic tank and subsurface wastewater infiltration system (SWIS). An alternative system is used to achieve acceptable treatment and dispersal of wastewater where conventional systems either might not be capable of protecting public health and water quality or are inappropriate for properties with shallow soils over ground water or bedrock or soils with low permeability. Examples of components that can be used in alternative systems are sand filters, aerobic treatment units, disinfection devices, and alternative subsurface infiltration designs such as mounds, gravelless trenches, and pressure and drip distribution.

Centralized Wastewater System: A managed system consisting of collection sewers and a single treatment plant used to collect and treat wastewater from an entire service area. Traditionally, such a system has been called a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

Cesspool: A drywell that receives untreated sanitary waste containing human excreta, which sometimes has an open bottom and/or perforated sides (40 CFR 144.3). Cesspools with the capacity to serve 20 or more persons per day were banned in federal regulations promulgated on December 7, 1999. The construction of new cesspools was immediately banned, and existing large-capacity cesspools must be replaced with sewer connections or onsite wastewater treatment systems by 2005.

Clustered System: A wastewater collection and treatment system under some form of common ownership that collects wastewater from two or more dwellings or buildings and conveys it to a treatment and dispersal system located on a suitable site near the dwellings or buildings.

Construction Permit: A permit issued by the designated local regulatory authority that allows the installation of a wastewater treatment system in accordance with approved plans and applicable codes.

Conventional Onsite Treatment System: A wastewater treatment system consisting of a septic tank and a typical trench or bed subsurface wastewater infiltration system.

Decentralized System: An onsite or clustered system used to collect, treat, and disperse or reclaim wastewater from a small community or service area.

Dispersal System: A system that receives pretreated wastewater and releases it into the air, into surface or ground water, or onto or under the land surface. A subsurface wastewater infiltration system is an example of a dispersal system.

Engineered Design: An onsite or clustered wastewater system that is designed and certified by a licensed/certified designer to meet specific performance criteria for a particular wastewater on a particular site.

Environmental Sensitivity: The relative susceptibility to adverse impacts of a water resource or other receiving environment from dispersal of wastewater or its constituents. The impacts may be low, acute (immediate and significantly disruptive), or chronic (long-term, with gradual but serious disruptions).

Large-Capacity Septic System: An onsite method of partially treating and disposing of sanitary wastewater having the capacity to serve 20 or more persons per day subject to EPA's Underground Injection Control regulations.

Management Model: A 13-element program designed to protect and sustain public health and water quality through the use of appropriate policies and administrative procedures that define and integrate the roles and responsibilities of the regulatory authority, system owner, service providers, and management entity, when present, to ensure that onsite and clustered wastewater treatment systems are appropriately managed throughout their life cycle. The program elements include public education and participation; planning; performance; training and certification/licensing; site evaluation; design; construction; operation and maintenance; residuals management; compliance inspections/monitoring; corrective actions; recordkeeping, inventory, and reporting; and financial assistance and funding. Management services should be provided by properly trained and certified personnel and tracked through a comprehensive management information system.

National Pollutant Discharge Elimination System (NPDES): A national program under Section 402 of the Clean Water Act for regulation of discharges of pollutants from point sources to waters of the United States. Discharges are illegal unless authorized by an NPDES permit.

Onsite Service Provider: A person who provides onsite system services. Providers include (but are not limited to) designers, engineers, soil scientists, site evaluators, installers, contractors, operators, managers, maintenance-service providers, pumpers, and others who provide services to system owners or other service providers.

Onsite Wastewater Treatment System (OWTS): A system relying on natural processes and/or mechanical components to collect, treat, and disperse or reclaim wastewater from a single dwelling or building.

Operating Permit: A renewable and revocable permit to operate and maintain an onsite or clustered treatment system in compliance with specific operational or performance criteria stipulated by the regulatory authority.

Performance-Based Management Program: A program designed to preserve and protect public health and water quality by seeking to ensure sustained achievement of specific, measurable performance criteria based on site and risk assessments.

Performance Criteria: Any criteria established by the regulatory authority to ensure future compliance with the public health and water quality goals of the community, the state or tribe, and the federal government. Performance criteria can be expressed as numeric limits (e.g., pollutant concentrations, mass loads, wet weather flow, structural strength) or narrative descriptions of desired conditions or requirements (e.g., no visible scum, sludge, sheen, odors, cracks, or leaks).

Permitting Authority: The state, tribal, or local unit of government with the statutory or delegated authority to issue permits to build and operate onsite wastewater systems.

Prescription-Based Management Program: A program designed to preserve and protect public health and water quality by specifying preengineered system designs for specific sets of site conditions such that systems that are sited, designed, and constructed properly are deemed to meet public health and water quality standards.

Prescriptive Requirements: Specifications for design, installation, and other procedures and practices for onsite or clustered wastewater systems on sites that meet stipulated criteria. Proposed deviations from the stipulated criteria, specifications, procedures, or practices require formal approval from the regulatory authority.

Regulatory Authority (RA): The unit of government that establishes and enforces codes related to the permitting, design, placement, installation, operation, maintenance, monitoring, and performance of onsite and clustered wastewater systems.

Residuals: The solids generated or retained during the treatment of wastewater. They include trash, rags, grit, sediment, sludge, biosolids, septage, scum, and grease, as well as those portions of treatment systems that have served their useful life and require disposal, such as the sand or peat from a filter. Because of the different characteristics of residuals, management requirements can differ as stipulated by the appropriate federal regulations.

Responsible Management Entity (RME): A legal entity responsible for providing various management services with the requisite managerial, financial, and technical capacity to ensure the long-term, cost-effective management of decentralized onsite or clustered wastewater treatment facilities in accordance with applicable regulations and performance criteria.

Septage: The liquid and solid materials pumped from a septic tank during cleaning operations.

Septic Tank: A buried, watertight tank designed and constructed to receive and partially treat raw wastewater. The tank separates and retains settleable and floatable solids suspended in the wastewater and discharges the settled wastewater for further treatment and dispersal to the environment.

Source Water Assessment: A study and report required by the Source Water Assessment Program (SWAP) of the Safe Drinking Water Act addressing the capability of a given public water system to protect water quality. The assessment includes delineation of the source water area, identification of potential sources of contamination in the delineated area, determination of susceptibility to those sources, and public notice of the completed assessment.

Underground Injection Well: A constructed system designed to place waste fluids above, into, or below aquifers classified as underground sources of drinking water. As regulated under the Underground Injection Control (UIC) Program of the Safe Drinking Water Act (40 CFR Parts 144 and 146), injection wells are grouped into five classes. Class V includes shallow systems such as cesspools and subsurface wastewater infiltration systems. Subsurface wastewater infiltration systems with the capacity to serve 20 or more people per day, or similar systems receiving nonsanitary wastes, are subject to federal regulation. Class V motor vehicle waste injection wells and large-capacity cesspools are specifically prohibited under the UIC regulations.

APPENDIX A: MANAGEMENT MODELS

This appendix presents a description of activities associated with each program element and identifies the party responsible for each activity. A detailed discussion is presented in the Management Handbook. Activities in bold are activities added to program elements from the preceding Management Model.

Note: If applicable, National Pollutant Discharge Elimination System (NPDES) requirements under the Clean Water Act (CWA) or Underground Injection Control (UIC) requirements under the Safe Drinking Water Act (SDWA) supercede any less stringent or inconsistent provisions. Program elements in each model help inform the state, tribe, or EPA in establishing NPDES permit requirements.

MANAGEMENT MODEL 1: HOMEOWNER AWARENESS

Objective: To ensure that conventional onsite systems are sited and constructed properly in accordance with appropriate state, tribal, and local regulations and codes; that they are periodically inspected; and, if necessary, that they are repaired by the Owner. The Regulatory Authority maintains a record of the location of all systems and periodically provides the Owner/User with notices regarding operation and preventive maintenance recommendations.

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY
PUBLIC EDUCATION AND PARTICIPATION	Regulatory Authority	• Educate Owner/User on purpose, use, and care of treatment system. • Provide public review and comment periods of any proposed program or rule changes.
	Service Provider	• Be informed of existing rules and review and comment on any proposed program and/or rule changes. • Participate in advisory committees established by the Regulatory Authority.
	Owner/User	• Be informed of purpose, use, and care of treatment system. • Be informed of existing rules and review and comment on any proposed program and/or rule changes. • Participate in advisory committees established by the Regulatory Authority.
PLANNING	Regulatory Authority	• Coordinate program rules and regulations with state, tribal, and local planning and zoning and other water-related programs. • Evaluate potential risks of wastewater discharges to limit environmental impacts on receiving environments during the rule making process. • Limit potential risks of environmental impacts from residuals management program and evaluate available handling/treatment capacities. • Inform local planning authority of rule changes and recommend its evaluation of potential impacts on land use.
	Developer	• Hire planners, certified site evaluators, and designers to ensure that all lots of proposed subdivision plats meet requirements for onsite treatment prior to final plat.
PERFORMANCE	Regulatory Authority	• Establish system failure criteria to protect public health, e.g., wastewater backups in building, wastewater ponding on ground surface, insufficient separation from ground water or wells.
	Owner/User	• Regularly maintain system in proper working order.
TRAINING AND CERTIFICATION/ LICENSING	Licensing Board/ Regulatory Authority	• Develop and administer training, testing, and certification/licensing program for site evaluators, designers, contractors, and pumpers/haulers. • Maintain a current certified/licensed Service Provider listing.
	Service Provider	• Obtain appropriate certification(s)/license(s) and continuing education as required. • Obtain training from the manufacturer or vendor regarding appropriate use, installation requirements, and O&M procedures of any proprietary equipment to be installed. • Comply with applicable federal, state, tribal, and local requirements.
	Owner/User	• When using third-party services, contract with only the appropriate certified/licensed Service Providers.
SITE EVALUATION	Regulatory Authority	• Codify prescriptive requirements for site evaluation procedures. • Codify criteria for treatment site characteristics suitable for permitted designs that will prevent unacceptable impacts on ground and surface water resources.
	Site Evaluator	• Obtain certification/license to practice. • Describe site and soil characteristics, determine suitability of site with respect to code requirements, and estimate site's hydraulic and treatment capacity. • Comply with applicable federal, state, tribal, and local requirements in the evaluation of sites for wastewater treatment and dispersal.
	Owner	• Hire a certified/licensed site evaluator to perform site evaluation.

MANAGEMENT MODEL 1: HOMEOWNER AWARENESS

MANAGEMENT MODEL 1: HOMEOWNER AWARENESS

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY
DESIGN	Regulatory Authority	• Codify prescriptive, preengineered designs that are suitable for treatment sites that meet the appropriate prescriptive site criteria.
	Designer	• Obtain a certification/license to practice. • Design a treatment system that is compatible with the site and soil characteristics described by the site evaluator. • Comply with applicable federal, state, tribal, and local requirements in the design of wastewater treatment and dispersal systems.
	Owner	• Hire a certified/licensed designer to prepare system design.
CONSTRUCTION	Regulatory Authority	• Administer a permitting program for system construction, including Regulatory Authority review of proposed system siting and design plans. • Perform final construction inspection for compliance assurance and inventory data collection. • Require that record drawings of constructed system be submitted to the Regulatory Authority by Owner.
	Contractor/ Installer	• Obtain certification/license to practice. • Construct the system in accordance with the approved plans and specifications. • Prepare record drawings of completed system and submit to Owner. • Comply with applicable federal, state, tribal, and local requirements in the design and construction of wastewater treatment and dispersal systems.
	Designer of Record	• Approve proposed field changes and submit to Owner. • Comply with applicable federal, state, tribal, and local requirements in the design and construction of wastewater treatment and dispersal systems.
	Owner	• Hire a certified/licensed contractor/installer to construct system. • Submit final record drawings of constructed system to Regulatory Authority.
OPERATION & MAINTENANCE	Regulatory Authority	• Provide Owner/User with educational materials regarding system use and care. • Send timely reminder to Owner of when scheduled preventive maintenance is due.
	Pumper/Hauler	• Obtain certification/license to practice. • Inspect and service system as necessary. • Comply with applicable federal, state, tribal, and local requirements in the operation and maintenance of the treatment and dispersal system.
	Owner	• Perform recommended routine maintenance or hire a certified/licensed pumper/hauler to perform maintenance. • Hire a certified/licensed pumper/hauler to periodically inspect, service, and remove septage for proper treatment and disposal.
	User	• Follow recommendations provided by Regulatory Authority, Service Providers, and/or Owner to ensure that undesirable or prohibited materials are not discharged to system.
RESIDUALS MANAGEMENT	Regulatory Authority	• Administer a tracking system for residuals hauling, treatment, and disposal and review to evaluate compliance with 40 CFR Part 503 (Use and Disposal of Sewage Sludge), 40 CFR Part 257, and applicable state, tribal, and local requirements. • Inventory available residuals handling/treatment capacities and develop contingency plans to ensure that sufficient capacities are always available.
	Pumper/Hauler	• Obtain certification/license to practice. • Comply with applicable federal, state, tribal, and local requirements in the pumping, hauling, treatment, and disposal of treatment system residuals.
COMPLIANCE INSPECTIONS/ MONITORING	Regulatory Authority	• Conduct final construction inspections to ensure compliance with approved plans and permit requirements. • Perform compliance inspections at point-of-sale, change-in-use of properties, "targeted areas," and systems reported to be in violation. • Conduct compliance inspections of residuals hauling, treatment, and disposal.
	Pumper/Hauler	• Inform Owner of any noncompliant items observed during routine servicing of system.
	Owner	• Periodically perform a "walk-over" inspection of the system and correct any deficiencies.

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY
CORRECTIVE ACTIONS	Regulatory Authority	• Negotiate compliance schedule with Owner for correcting documented noncompliance items. • Administer enforcement program, including fines and/or penalties for failure to comply with compliance requirements. • Obtain necessary authority to enter property to correct imminent threats to public health if the Owner/User fails to comply.
	Designer	• Provide Owner with documents (drawings, specifications, modifications, etc.) that may be required by Regulatory Authority prior to corrective action.
	Contractor/ Installer	• Perform required repairs, modifications, and upgrades as necessary.
	Owner	• Comply with terms and conditions of the negotiated compliance schedule. • Submit required documents for corrective actions to Regulatory Authority. • Hire appropriate certified/licensed Service Providers to perform required corrective actions.
RECORD KEEPING, INVENTORY, & REPORTING	Regulatory Authority	• Administer a database inventory (locations, site evaluations, record drawings, permits, performed maintenance, inspection reports) of all systems. • Maintain a residuals treatment and disposal tracking system. • Maintain a current certified/licensed Service Provider listing that is available to the public.
	Pumper/Hauler	• Prepare and submit records of residuals handling as required.
	Owner	• Maintain approved record drawings of system. • Maintain maintenance records of system. • Provide drawings, specifications, and maintenance records to new property owner at time of property transfer.
FINANCIAL ASSISTANCE & FUNDING	Regulatory Authority	• Provide the legal and financial support to sustain the management program. • Provide a listing of financial assistance programs available to Owner and the qualifying criteria for each program. • Consider implementing a state or local financing program to assist Owners in upgrading their systems.

MANAGEMENT MODEL 1: HOMEOWNER AWARENESS

MANAGEMENT MODEL 2: MAINTENANCE CONTRACTS

Objective: To allow use of more complex mechanical treatment options or small clusters through the requirement that maintenance contracts be maintained between the Owner and maintenance provider to ensure appropriate and timely system component maintenance by qualified technicians over the service life of the system.

MANAGEMENT MODEL 2: MAINTENANCE CONTRACTS

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
PUBLIC EDUCATION AND PARTICIPATION	Regulatory Authority	• Educate Owner/User on purpose, use, and care of treatment system. • Provide public review and comment periods of any proposed program and/or rule changes.
	Service Provider	• Be informed of existing rules, and review and comment on any proposed program or rule changes. • Participate in advisory committees established by the Regulatory Authority.
	Owner/User	• Be informed of purpose, use, and care of treatment system. • Be informed of existing rules, and review and comment on any proposed program or rule changes. • Participate in advisory committees established by the Regulatory Authority.
PLANNING	Regulatory Authority	• Coordinate program rules and regulations with state, tribal, local planning and zoning and other water-related programs. • Evaluate potential risks of wastewater discharges to limit environmental impacts on receiving environments during the rule making process. • Limit potential risks of environmental impacts from residuals management program and evaluate available handling/treatment capacities. • Inform local planning authority of rule changes and recommend its evaluation of potential impacts on land use.
	Developer	• Hire planners, certified site evaluators, and designers to ensure that all lots of proposed subdivision plats meet requirements for onsite treatment prior to final plat.
PERFORMANCE	Regulatory Authority	• Establish system failure criteria to protect public health, e.g., wastewater backups in building, wastewater ponding on ground surface, insufficient separation from ground water or wells. • **Establish minimum performance criteria for manufactured component approvals.** • **Establish minimum maintenance requirements for approved systems.**
	Owner/User	• Regularly maintain system in proper working order.
TRAINING AND CERTIFICATION/ LICENSING	Licensing Board/ Regulatory Authority	• Develop and administer training, testing, and certification/licensing program for site evaluators, designers, contractors, operators, and pumpers/haulers. • Maintain a current certified/licensed Service Provider listing.
	Service Provider	• Obtain appropriate certification(s)/license(s) and continuing education as required. • Obtain training from the manufacturer or vendor regarding appropriate use, installation requirements, and O&M procedures of any proprietary equipment to be installed. • Comply with applicable federal, state, tribal, and local requirements.
	Owner/User	• When using third-party services, contract only with the appropriate certified/licensed Service Providers.
SITE EVALUATION	Regulatory Authority	• Codify prescriptive requirements for site evaluation procedures. • Codify criteria for treatment site characteristics suitable for permitted designs that will prevent unacceptable impacts on ground and surface water resources. • **Establish alternative site acceptance criteria for approved systems providing enhanced pretreatment.**
	Site Evaluator	• Obtain certification/license to practice. • Describe site and soil characteristics, determine suitability of site with respect to code requirements, and estimate site's hydraulic and treatment capacity. • Comply with applicable federal, state, tribal, and local requirements in the evaluation of sites for wastewater treatment and dispersal.
	Owner	• Hire a certified/licensed site evaluator to perform site evaluation.

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
DESIGN	Regulatory Authority	• Codify prescriptive, preengineered designs that are suitable for treatment sites that meet the appropriate prescriptive site criteria. • **Administer an evaluation program for approving manufactured components for use with pre-engineered designs.**
	Designer	• Obtain certification/license to practice. • Design a treatment system that is compatible with the site and soil characteristics described by the site evaluator. • Comply with applicable federal, state, tribal, and local requirements in the design of wastewater treatment and dispersal systems.
	Owner	• Hire a certified/licensed designer to prepare system design.
CONSTRUCTION	Regulatory Authority	• Administer a permitting program for system construction, including Regulatory Authority review of proposed system siting and design plans. • Perform final construction inspection for compliance assurance and inventory data collection. • Require that record drawings of constructed system be submitted to the Regulatory Authority by Owner. • **Require Owner to submit a copy of system O&M manual to the Regulatory Authority.**
	Contractor/ Installer	• Obtain certification/license to practice. • Construct the system in accordance with the approved plans and specifications. • Prepare record drawings of completed system and submit to Owner. • **Provide Owner with an O&M manual describing component manufacturer's maintenance and troubleshooting requirements/recommendations.** • Comply with applicable federal, state, tribal, and local requirements in the design and construction of wastewater treatment and dispersal systems.
	Designer of Record	• Approve proposed field changes and submit to Owner. • Comply with applicable federal, state, tribal, and local requirements in the design and construction of wastewater treatment and dispersal systems.
	Owner	• Hire a certified/licensed contractor/installer to construct system. • Submit final record drawings of constructed system to Regulatory Authority. • **Submit a copy of system O&M manual to Regulatory Authority to record required maintenance.**
OPERATION & MAINTENANCE	Regulatory Authority	• Provide Owner/User with educational materials regarding system use and care. • Send timely reminder to Owner when scheduled preventive maintenance is due. • **Administer a program that requires the Owner to attest periodically that he or she holds a valid contract with a certified/licensed operator to perform scheduled and any necessary maintenance according to the maintenance requirements described in submitted O&M manual.** • **Require Owner to submit a maintenance report signed/sealed by certified/licensed operator immediately following scheduled maintenance.**
	Operator	• **Obtain certification/license to practice.** • **Inspect and service system as necessary in accordance with the submitted O&M manual.** • **Certify to Owner that the required maintenance was performed in a timely manner, describing any system deficiencies observed.** • **Comply with applicable federal, state, tribal, and local requirements in the operation and maintenance of the treatment and dispersal system.**
	Pumper/Hauler	• Obtain certification/license to practice. • Inspect and service system as necessary. • Comply with applicable federal, state, tribal, and local requirements in the operation and maintenance of treatment and dispersal system.
	Owner	• Hire a certified/licensed pumper/hauler to periodically inspect, service, and remove septage or other residuals for proper treatment and disposal. • **Maintain contractual agreement with a certified/licensed operator to perform scheduled maintenance as required.** • **Inform Regulatory Authority of any change in maintenance contract status.**
	User	• Follow recommendations provided by Regulatory Authority, Service Providers, and/or Owner to ensure that undesirable or prohibited materials are not discharged to system.

MANAGEMENT MODEL 2: MAINTENANCE CONTRACTS

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 2: MAINTENANCE CONTRACTS

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
RESIDUALS MANAGEMENT	Regulatory Authority	• Administer a tracking system for residuals hauling, treatment, and disposal and review to evaluate compliance with 40 CFR Part 503 (Use and Disposal of Sewage Sludge), 40 CFR Part 257, and applicable state, tribal, and local requirements. • Inventory available residuals handling/treatment capacities and develop contingency plans to ensure that sufficient capacities are always available.
	Pumper/Hauler	• Comply with applicable federal, state, tribal, and local requirements in the pumping, hauling, treatment, and disposal of treatment system residuals.
COMPLIANCE INSPECTIONS/ MONITORING	Regulatory Authority	• Conduct final construction inspections to ensure compliance with approved plans and permit requirements. • Perform compliance inspections at point-of-sale, change-in-use of properties, "targeted areas," and/or systems reported to be in violation. • Conduct compliance inspections of residuals hauling, treatment, and disposal. • **Administer program for confirming that Owners hold valid maintenance contracts with certified/licensed operators and for monitoring timely submittals of certified maintenance reports.**
	Operator or Pumper/Hauler	• Inform Owner of any noncompliant items observed during routine servicing of system.
	Owner	• Periodically perform a "walk-over" inspection of the system and correct any deficiencies. • **Attest to the Regulatory Authority that a valid contract exists with a certified/licensed operator to perform necessary system maintenance.** • **Submit a maintenance report signed/sealed by a certified/licensed Service Provider immediately following scheduled maintenance.**
CORRECTIVE ACTIONS	Regulatory Authority	• Negotiate compliance schedule with Owner for correcting documented noncompliant items. • Administer enforcement program, including fines and/or penalties for failure to comply with compliance requirements. • Obtain necessary authority to enter property to correct imminent threats to public health if the Owner/User fails to comply.
	Designer	• Provide Owner with documents (drawings, specifications, modifications, etc.) that may be required by Regulatory Authority prior to corrective action.
	Contractor/ Installer	• Perform required repairs, modifications, and upgrades as necessary.
	Owner	• Comply with terms and conditions of the negotiated compliance schedule. • Submit required documents for corrective actions to Regulatory Authority. • Hire appropriate certified/licensed Service Providers to perform required corrective actions.
RECORD KEEPING, INVENTORY, & REPORTING	Regulatory Authority	• Administer a database inventory (locations, site evaluations, record drawings, permits, performed maintenance, inspection reports) of all systems. • Maintain a residuals treatment and disposal tracking system. • Maintain a current certified/licensed Service Provider listing that is available to the public. • **Administer an Owner/Service Provider maintenance contract compliance and certified maintenance report tracking system.** • **Record maintenance contract requirement on property deed.** • **Administer a certified maintenance report tracking system.**
	Operator	• Provide certified report of all maintenance and observed system deficiencies to Owner.
	Pumper/Hauler	• Prepare and submit records of residuals handling as required.
	Owner	• Maintain approved record drawings and **O&M manual** of system. • Maintain maintenance records of system. • Provide drawings, specifications, **O&M manual**, and maintenance records to new property owner at time of property transfer.
FINANCIAL ASSISTANCE & FUNDING	Regulatory Authority	• Provide the legal and financial support to sustain the management program. • Provide a listing of financial assistance programs available to Owner/User and the qualifying criteria for each program. • Consider implementing a state or local financing program to assist Owners in upgrading their systems.

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 3: OPERATING PERMITS

Objective: To issue renewable/revocable operating permits to system Owner that stipulate specific and measurable performance criteria for the treatment system and periodic submittals of compliance monitoring reports. The performance criteria are based on risks to public health and water resources posed by wastewater dispersal in the receiving environment. Operating permits allow the use of clustered or onsite systems on sites with a greater range of site characteristics.

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
PUBLIC EDUCATION AND PARTICIPATION	Regulatory Authority	• Educate Owner/User on purpose, use, and care of treatment system. • Provide public review and comment periods of any proposed program and/or rule changes.
	Service Provider	• Be informed of existing rules, and review and comment on any proposed program or rule changes. • Participate in advisory committees established by the Regulatory Authority.
	Owner/User	• Be informed of purpose, use, and care of treatment system. • Be informed of existing rules, and review and comment on any proposed program or rule changes. • Participate in advisory committees established by the Regulatory Authority.
PLANNING	Regulatory Authority	• Coordinate program rules and regulations with state, tribal, and local planning and zoning and other water-related programs. • Evaluate potential risks of wastewater discharges to limit environmental impacts on receiving environments during the rule making process. • Limit potential risks of environmental impacts from residuals management program and evaluate available handling/treatment capacities. • Inform local planning authority of rule changes and recommend its evaluation of potential impacts on land use.
	Developer	• Hire planners, certified site evaluators, and designers to ensure that all lots of proposed subdivision plats meet requirements for onsite treatment prior to final plat.
PERFORMANCE	Regulatory Authority	• Establish system failure criteria to protect public health, e.g., wastewater backups in building, wastewater ponding on ground surface, insufficient separation from ground water or wells. • Establish minimum maintenance requirements for approved systems. • **Establish performance criteria necessary to protect public health and water resources for each defined receiving environment in Regulatory Authority's jurisdiction.**
	Owner/User	• Operate and regularly maintain system in proper working order. • **Operate system to comply with performance criteria stipulated in operating permit.**
TRAINING AND CERTIFICATION/ LICENSING	Licensing Board/ Regulatory Authority	• Develop and administer a training, testing, and certification/licensing program for site evaluators, designers, contractors, operators, pumpers/haulers, and **inspectors**. • Maintain a current certified/licensed Service Provider listing.
	Service Provider	• Obtain appropriate certification(s)/license(s) and continuing education as required. • Obtain training from the manufacturer or vendor regarding appropriate use, installation requirements, and O&M procedures of any proprietary equipment to be installed. • Comply with applicable federal, state, tribal, and local requirements.
	Owner/User	• When using third-party services, contract with only the appropriate certified/licensed Service Providers.
SITE EVALUATION	Regulatory Authority	• Codify prescriptive requirements for site evaluation procedures. • Codify criteria for treatment site characteristics suitable for permitted designs that will prevent unacceptable impacts on ground and surface water resources. • **Establish defining characteristics for each receiving environment in the Regulatory Authority's jurisdiction.**
	Site Evaluator	• Obtain certification/license to practice. • Describe site and soil characteristics, determine suitability of site with respect to code requirements, and estimate site's hydraulic and treatment capacity. • Comply with applicable federal, state, tribal, and local requirements in the evaluation of sites for wastewater treatment and dispersal.
	Owner	• Hire a certified/licensed site evaluator to perform site evaluation.

MANAGEMENT MODEL 3: OPERATING PERMITS

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 3: OPERATING PERMITS

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
DESIGN	Regulatory Authority	• Codify prescriptive, preengineered designs that are suitable for treatment sites that meet the appropriate prescriptive site criteria. • **Administer a plan review program for engineered designs to meet stipulated performance criteria.** • **Require submission of routine operation and emergency contingency plans that will sustain system performance and avoid unpermitted discharges.**
	Designer	• Obtain certification/license to practice. • Certified/licensed designer to design treatment system that is compatible with the site and soil characteristics described by the site evaluator. • Comply with applicable federal, state, tribal, and local requirements in the design of wastewater treatment and dispersal systems.
	Owner	• Hire a certified/licensed designer to prepare system design.
CONSTRUCTION	Regulatory Authority	• Administer a permitting program for system construction, including Regulatory Authority review of proposed system siting and design plans. • **Require designer of record to certify that completed system construction is in substantial compliance with approved plans and specifications.** • Require that record drawings of constructed system be submitted to the Regulatory Authority by Owner. • Require Owner to submit a copy of system O&M manual to the Regulatory Authority.
	Contractor/ Installer	• Obtain certification/license to practice. • Construct the system in accordance with the approved plans and specifications. • Prepare record drawings of completed system and submit to Owner. • Provide Owner with an O&M manual describing component manufacturer's maintenance and troubleshooting requirements/recommendations. • Comply with applicable federal, state, tribal, and local requirements in the design and construction of wastewater treatment and dispersal systems.
	Designer of Record	• Approve proposed field changes and submit to Owner. • **Certify that construction of the system is substantially in conformance with the approved plans and specifications.**
	Owner	• Hire a certified/licensed contractor/installer to construct system. • Submit final record drawings of constructed system to Regulatory Authority. • Submit a copy of system O&M manual to Regulatory Authority to record required maintenance.
OPERATION & MAINTENANCE	Regulatory Authority	• Provide Owner/User with educational materials regarding system use and care. • **Administer a program of renewable/revocable operating permits that are issued to Owner stipulating system performance criteria, compliance monitoring reporting schedule, term of permit, and renewal option upon documented compliance with permit.** • **Track and review compliance monitoring reports to ensure that systems are operating in accordance with operating permits.**
	Operator	• Obtain certification/license to practice. • **Inspect and service system as necessary in accordance with the submitted O&M manual and/or operating permit stipulations.** • Certify to Owner that the required maintenance was performed in a timely manner, describing any system deficiencies observed. • Comply with applicable federal, state, tribal, and local requirements in the operation and maintenance of the treatment and dispersal system.
	Pumper/Hauler	• Obtain certification/license to practice. • Inspect and service system as necessary. • Comply with applicable federal, state, tribal, and local requirements in the operation and maintenance of the treatment and dispersal system.
	Owner	• Hire a certified/licensed pumper/hauler or operator to maintain system. • Maintain system in proper working order. • **Operate and maintain the system in accordance with O&M manual and/or operating permit stipulations.** • **Submit compliance monitoring reports to the Regulatory Authority according to the schedule stipulated in the operating permit.**
	User	• Follow recommendations provided by Regulatory Authority and/or Service Providers to ensure that undesirable or prohibited materials are not discharged to system.

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 3: OPERATING PERMITS

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
RESIDUALS MANAGEMENT	Regulatory Authority	• Administer a tracking system for residuals hauling, treatment, and disposal and review to evaluate compliance with 40 CFR Part 503 Use and Disposal of Sewage Sludge, 40 CFR Part 257, and applicable state, tribal, and local requirements. • Inventory available residuals handling/treatment capacities and develop contingency plans to ensure that sufficient capacities are always available.
	Pumper/Hauler	• Comply with applicable federal, state, tribal, and local requirements in the pumping, hauling, treatment, and disposal of treatment system residuals.
COMPLIANCE INSPECTIONS/ MONITORING	Regulatory Authority	• Perform inspection programs at point-of-sale, change-in-use of properties, "targeted areas," and/or systems reported to be in violation. • Conduct compliance inspections of residuals hauling, treatment, and disposal. • **Administer a program to monitor timely submittals of acceptable compliance maintenance reports.** • **Notify Owner of impending scheduled submittals of compliance monitoring reports.** • **Perform system inspections randomly and/or at time of operating permit renewal.**
	Operator or Pumper/Hauler	• Inform Owner of any noncompliant items observed during routine servicing of system.
	Owner	• Submit compliance monitoring reports to Regulatory Authority as stipulated in operating permit. • **Submit compliance inspection report signed/sealed by a certified/licensed inspector prior to applying for renewal of operating permit.**
CORRECTIVE ACTIONS	Regulatory Authority	• Negotiate compliance schedule with Owner for correcting documented noncompliant items. • Administer enforcement program including fines and/or penalties for failure to comply with compliance requirements. • Obtain necessary authority to enter property to correct imminent threats to public health if the Owner/User fails to comply. • **Require system inspection by certified inspector at time of operating permit renewal.**
	Designer	• Provide Owner with documents (drawings, specifications, modifications, etc.) that may be required by Regulatory Authority prior to corrective action.
	Contractor/ Installer	• Perform required repairs, modifications, and upgrades as necessary.
	Inspector	• **Obtain certification/license to practice.** • **Inspect treatment system for compliance with operating permit prior to permit renewal.**
	Owner	• Comply with terms and conditions of the negotiated compliance schedule. • Submit required documents for corrective actions to Regulatory Authority. • Hire appropriate certified/licensed Service Providers to perform required corrective actions.
RECORD KEEPING, INVENTORY, & REPORTING	Regulatory Authority	• Administer a database inventory (locations, site evaluations, record drawings, permits, performed maintenance, and inspection reports) of all systems. • Maintain a residuals treatment and disposal tracking system. • Maintain a current certified/licensed Service Provider listing that is available to the public. • **Administer a tracking system for operating permits.** • **Administer a tracking database for compliance reports.**
	Operator or Inspector	• Provide certified report of all maintenance and observed system deficiencies to Owner. • **Perform system monitoring as stipulated in Owner's operating permit.**
	Pumper/Hauler	• Prepare and submit records of residuals handling as required.
	Owner	• Maintain approved record drawings and O&M manual of system. • Maintain maintenance records of system. • Submit compliance monitoring reports to Regulatory Authority. • Provide drawings, specifications, O&M manual, and maintenance records to new property owner at time of property transfer.
FINANCIAL ASSISTANCE & FUNDING	Regulatory Authority	• Provide the legal and financial support to sustain the management program. • Provide a listing of financial assistance programs available to Owner/User and the qualifying criteria for each program. • Consider implementing a state or local financing program to assist Owners in upgrading their systems.

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 4: RME OPERATION AND MAINTENANCE

Objective: To ensure that onsite/decentralized systems consistently meet their stipulated performance criteria through Responsible Management Entities that are responsible for operation and performance of systems within their service areas.

MANAGEMENT MODEL 4: RME OPERATION AND MAINTENANCE

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
PUBLIC EDUCATION AND PARTICIPATION	Regulatory Authority	• Educate Owner/User on purpose, use, and care of treatment system. • Hold public meetings to inform the public of any proposed program and/or rule changes.
	Service Provider	• Be informed of existing rules, and review and comment on any proposed program or rule changes. • Participate in advisory committees established by the Regulatory Authority.
	Owner/User	• Be informed of purpose, use, and care of treatment system. • Be informed of existing rules and review and comment on any proposed program and/or rule changes. • Participate in advisory committees established by the Regulatory Authority.
	RME	**• Inform Owner/User of care and use of system.** **• Inform Owner/User of RME requirements and prohibited uses of system.**
PLANNING	Regulatory Authority	• Coordinate program rules and regulations with state, tribal, and local planning and zoning and other water-related programs. • Evaluate potential risks of wastewater discharges to limit environmental impacts on receiving environments during the rule making process. • Limit potential risks of environmental impacts from residuals management program and evaluate available handling/treatment capacities. • Inform local planning authority of rule changes and recommend their evaluation of potential impacts on land use.
	Developer	• Hire planners, certified site evaluators, and designers to ensure that all lots of proposed subdivision plats meet requirements for onsite treatment prior to final plat.
	RME	**• Develop criteria (e.g., site evaluation, design, construction) to be required of systems for acceptance into O&M program and inform Owners.** **• Continuously evaluate existing wastewater treatment needs and forecast future needs.**
PERFORMANCE	Regulatory Authority	• Establish system failure criteria to protect public health, e.g., wastewater backups in building, wastewater ponding on ground surface, insufficient separation from ground water or wells. • Establish minimum maintenance requirements for approved systems. • Establish performance criteria necessary to protect public health and water resources for each defined receiving environment in the Regulatory Authority's jurisdiction.
	Owner	• Regularly maintain system components in proper working order. **• Comply with any RME requirements regarding care and use of the system.**
	RME	**• Operate systems to comply with performance criteria stipulated in the operating permits.**
TRAINING AND CERTIFICATION/ LICENSING	Licensing Board/ Regulatory Authority	• Develop and administer training, testing, and certification/licensing program for site evaluators, designers, contractors, operators, pumpers/haulers, and inspectors. • Maintain a current certified/licensed Service Provider listing.
	Service Provider	• Obtain appropriate certification(s)/license(s) and continuing education as required. • Obtain training from the manufacturer or vendor regarding appropriate use, installation requirements, and operation and maintenance procedures of any proprietary equipment to be installed. • Comply with applicable federal, state, tribal, and local requirements in the evaluation of sites for wastewater treatment and dispersal.
	Owner	• When using third-party services, contract only with the appropriate certified/licensed Service Providers.
	RME	**• When using third-party services, contract with only the appropriate certified/licensed Service Providers.** **• Ensure that RME staff who operate and/or maintain systems obtain appropriate certification(s)/license(s) to practice.** **• Arrange for supplemental training as needed for Service Providers and/or staff to manage, operate, and/or maintain systems.**

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 4: RME OPERATION AND MAINTENANCE

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
SITE EVALUATION	Regulatory Authority	• Codify prescriptive requirements for site evaluation procedures. • Codify criteria for treatment site characteristics suitable for permitted designs that will prevent unacceptable impacts on ground and surface water resources. • Establish the defining characteristics of each receiving environment in the Regulatory Authority's jurisdiction. • **Approve and oversee site evaluation procedures required by RME for system acceptance in the O&M program to ensure that system designs are appropriate for the sites and their stipulated performance criteria.**
	Site Evaluator	• Obtain certification/license to practice. • Describe site and soil characteristics, determine suitability of site with respect to code requirements, and estimate site's hydraulic and treatment capacity. • Comply with applicable federal, state, tribal, and local requirements in the evaluation of sites for wastewater treatment and dispersal.
	Owner	• Hire a certified/licensed site evaluator to perform site evaluation. • **Comply with any additional siting requirements established by RME for system acceptance in the O&M program.**
DESIGN	Regulatory Authority	• Codify prescriptive, pre-engineered designs that are suitable for treatment sites that meet the appropriate prescriptive site criteria. • Administer a plan review program for engineered designs to meet stipulated performance criteria. • Require submission of routine operation and emergency contingency plans that will sustain system performance and avoid unpermitted discharges.
	Designer	• Obtain certification/license to practice. • Design treatment system that is compatible with the site and soil characteristics described by the site evaluator. • Comply with applicable federal, state, tribal, and local requirements in the design of wastewater treatment and dispersal systems.
	Owner	• Hire a certified/licensed designer to prepare system design. • Comply with any additional design requirements established by the RME for system acceptance in the O&M program.
CONSTRUCTION	Regulatory Authority	• Administer a permitting program for system construction, including Regulatory Authority review of proposed system siting and design plans. • Require designer of record to certify that completed system construction is in substantial compliance with approved plans and specifications. • Require that record drawings of constructed system be submitted to the Regulatory Authority by Owner. • Require Owner to submit a copy of system O&M manual to the Regulatory Authority and RME.
	Contractor/ Installer	• Obtain certification/license to practice. • Construct system in accordance with the approved plans and specifications. • Prepare record drawings of completed system and submit to Owner. • Provide Owner with an O&M manual describing component manufacturer's maintenance and troubleshooting requirements/recommendations. • Comply with applicable federal, state, tribal, and local requirements in the design and construction of wastewater treatment and dispersal systems.
	Designer of Record	• Approve proposed field changes and submit to Owner. • Certify that construction of the system is substantially in conformance with the approved plans and specifications.
	Owner	• **Comply with any additional construction requirements established by the RME for system acceptance in the O&M program.** • Hire a certified/licensed designer to prepare system design. • Submit final record drawings of constructed system to Regulatory Authority. • Submit a copy of the system O&M manual to the Regulatory Authority and RME to record required maintenance.

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 4: RME OPERATION AND MAINTENANCE

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
OPERATION & MAINTENANCE	Regulatory Authority	• Provide Owner/User with educational materials regarding system use and care. • Administer a program of renewable/revocable operating permits that are issued to RME, stipulating system performance criteria, compliance monitoring reporting schedule, term of permit, and renewal option upon documented compliance with operating permit stipulations. • Track and review compliance monitoring reports to ensure that systems are operating in accordance with operating permits. • **Consider replacing individual system operating permits with general permits issued to the RME for classes of systems.**
	Operator	• Inspect and service the system as necessary in accordance with the submitted O&M manual and/or operating permit stipulations. • Perform system monitoring as stipulated in RME's operating permit. • Certify to RME that the required maintenance and monitoring was performed in a timely manner and noting any system deficiencies. • Comply with applicable federal, state, tribal, and local requirements in the operation and maintenance of the treatment and dispersal system.
	Pumper/Hauler	• Obtain certification/license to practice. • Inspect and service system as necessary. • Comply with applicable federal, state, tribal, and local requirements in the operation and maintenance of treatment and dispersal system.
	Owner/User	• Follow recommendations provided by Regulatory Authority, Service Providers, and/or Owner to ensure that undesirable or prohibited materials are not discharged to system. • Maintain system components in proper working order. • **Comply with any RME requirements regarding care and use of system.**
	RME	• **Operate and maintain systems in accordance with the stipulated operating permit requirements.** • **Submit compliance monitoring reports to the Regulatory Authority according to the schedule stipulated in the operating permit.** • Hire a certified/licensed pumper/hauler or operator to maintain system.
RESIDUALS MANAGEMENT	Regulatory Authority	• Administer a tracking system for residuals hauling, treatment, and disposal and review to evaluate compliance with 40 CFR Part 503 Use and Disposal of Sewage Sludge, 40 CFR Part 257, and applicable state, tribal, and local requirements. • Inventory available residuals handling/treatment capacities and develop contingency plans to ensure that sufficient capacities are always available.
	Pumper/Hauler	• Comply with applicable federal, state, tribal, and local requirements in the pumping, hauling, treatment, and disposal of wastewater treatment system residuals.
	RME	• Hire a certified/licensed pumper/hauler to remove, treat, and dispose of residuals. • **Comply with applicable federal, state, tribal, and local requirements in the pumping, hauling, treatment, and disposal of treatment system residuals.** • **Inventory available residuals handling/treatment capacities and develop contingency plans when insufficient capacities are available.**
COMPLIANCE INSPECTIONS/ MONITORING	Regulatory Authority	• Perform inspection programs at point-of-sale, change-in-use of properties, "targeted areas," and/or systems reported to be in violation. • Conduct compliance inspections of residuals hauling, treatment, and disposal. • Administer a program to monitor timely submittals of acceptable compliance maintenance reports. • Perform system inspections randomly and/or at time of operating permit renewal.
	Inspector	• **Obtain certification/license to practice.** • **Perform system compliance inspections for RME in accordance with prevailing Regulatory Authority requirements.**
	RME	• **Submit compliance monitoring reports to the Regulatory Authority as stipulated in operating permit.** • **Submit compliance inspection report signed/sealed by a certified/licensed inspector prior to applying for renewal of operating permit.** • **Conduct regular reviews of management program with Owner/User and Regulatory Authority to optimize system operation program.** • **Hire a certified/licensed inspector to inspect system compliance status.**

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 4: RME OPERATION AND MAINTENANCE

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
CORRECTIVE ACTIONS	Regulatory Authority	• Negotiate compliance schedules with RME for correcting documented noncompliance items. • Administer enforcement program including fines and/or penalties for failure to comply with compliance requirements. • Obtain necessary authority to enter property to correct imminent threats to public health if the Owner/User fails to comply. • Require system inspection by certified inspector at time of operating permit renewal. • **Negotiate compliance schedules with RME, Owner/User, or both, for correcting documented noncompliance items.**
	Designer	• Provide Owner/RME with documents (drawings, specifications, modifications, etc.) that may be required by the Regulatory Authority prior to corrective actions.
	Contractor/ Installer	• Perform required repairs, modifications, and upgrades as necessary.
	Inspector	• Inspect treatment system for compliance with operating permit prior to permit renewal.
	Owner	• Comply with terms and conditions of the negotiated compliance schedule for component replacement/repairs. • Submit required documents for corrective actions to Regulatory Authority. • Hire appropriate certified/licensed Service Providers to perform required corrective actions.
	RME	• **Comply with terms and conditions of the negotiated compliance schedule for system performance.**
RECORD KEEPING, INVENTORY, & REPORTING	Regulatory Authority	• Administer a database inventory (locations, site evaluations, record drawings, permits, performed maintenance, and inspection reports) of all systems. • Maintain a residuals treatment and disposal tracking system. • Maintain a current certified/licensed Service Provider listing that is available to the public. • Administer a tracking system for operating permits. • Administer a tracking database for compliance reports. • **Administer periodic financial, management, and technical audits of RME.**
	Operator or Inspector	• Provide certified report of all maintenance and observed system deficiencies to RME. • Provide certified report of all observed system deficiencies to Owner. • Perform system monitoring as stipulated in RME's operating permit.
	Pumper/Hauler	• Prepare and submit records of residuals handling as required.
	Owner	• Maintain approved record drawings and O&M manual of system. • Maintain maintenance records of system. • Provide drawings, specifications, O&M manual, and maintenance records to new property owner at time of property transfer.
	RME	• **Maintain system monitoring and service records.** • **Inventory, collect, and provide permit information to Regulatory Authority.**
FINANCIAL ASSISTANCE & FUNDING	Regulatory Authority	• Provide the legal and financial support to sustain the management program. • Provide a listing of financial assistance programs available to Owner/User and the qualifying criteria for each program. • Consider implementing a state or local financing program to assist Owners in upgrading their systems.
	RME	• **Conduct regular reviews of management program with Owner/User and Regulatory Authority to optimize operations.**

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 5: RME OWNERSHIP

Objective: To provide professional management of the planning, siting, design, construction, operation, and maintenance of onsite/decentralized systems through Responsible Management Entities that own and manage individual and clustered systems within their service areas.

MANAGEMENT MODEL 5: RME OWNERSHIP

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
PUBLIC EDUCATION AND PARTICIPATION	Regulatory Authority	• Educate Owner/User on purpose, use, and care of treatment system. • Provide public review and comment periods of any proposed program and/or rule changes.
	Service Provider	• Be informed of existing rules, and review and comment on any proposed program or rule changes. • Participate in advisory committees established by the Regulatory Authority.
	RME	• Inform User of care and use of system. • Inform User of RME requirements and prohibited uses of system.
	User	• Be informed of purpose, use, and care of treatment system.
PLANNING	Regulatory Authority	• Coordinate program rules and regulations with state, tribal, and local planning and zoning and other water-related programs. • Evaluate potential risks of wastewater discharges to limit environmental impacts on receiving environments during the rule making process. • Limit potential risks of environmental impacts from residuals management program and evaluate available handling/treatment capacities. • Inform local planning authority of rule changes and recommend their evaluation of potential impacts on land use.
	Developer	• Hire planners, certified site evaluators, and designers to ensure that all lots of proposed subdivision plats meet requirements for onsite treatment prior to final plat.
	RME	• Continuously evaluate existing wastewater treatment needs and forecast future needs. • **Require developers to submit proposed subdivision plats to RME for review and comment to ensure compatibility with RME requirements.** • **Plan most cost-effective approach to meeting treatment needs through appropriate mix of central sewerage, clusters, and individual onsite systems.**
PERFORMANCE	Regulatory Authority	• Establish system failure criteria to protect public health, e.g., wastewater backups in building, wastewater ponding on ground surface, insufficient separation from ground water or wells. • Establish minimum maintenance requirements for approved systems. • Establish performance criteria necessary to protect public health and water resources for each defined receiving environment in the Regulatory Authority's jurisdiction.
	RME	• Operate, maintain, and repair systems to comply with performance criteria stipulated in the operating permits.
	User	• Comply with any RME requirements regarding care and use of the system.
TRAINING AND CERTIFICATION/ LICENSING	Licensing Board/ Regulatory Authority	• Develop and administer training, testing, and certification/licensing program for site evaluators, designers, contractors, pumpers/haulers, inspectors, and operators. • Maintain a current certified/licensed Service Provider listing.
	Service Provider	• Obtain appropriate certification(s)/license(s) and continuing education as required. • Obtain training from the manufacturer or vendor regarding appropriate use, installation requirements, and operation and maintenance procedures of any proprietary equipment to be installed. • Comply with applicable federal, state, tribal, and local requirements in the evaluation of sites for wastewater treatment and dispersal.
	RME	• When using-third party services, contract with only certified/licensed Service Providers. • RME staff who site, **design**, **construct**, operate, and/or maintain systems must obtain appropriate certification(s)/license(s) to practice. • Arrange for supplemental training as needed for Service Providers and/or staff to manage, operate, and/or maintain systems.

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 5: RME OWNERSHIP

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
SITE EVALUATION	Regulatory Authority	• Codify prescriptive requirements for site evaluation procedures. • Codify criteria for treatment site characteristics suitable for permitted designs that will prevent unacceptable impacts on ground and surface water resources. • Establish the defining characteristics of each receiving environment in the Regulatory Authority's jurisdiction. • Approve and oversee site evaluation procedures used by RME to ensure that system designs are appropriate for the sites and their stipulated performance criteria.
	Site Evaluator	• Obtain certification/license to practice. • Describe site and soil characteristics, determine suitability of site with respect to code requirements, and estimate site's hydraulic and treatment capacity. • Comply with applicable federal, state, tribal, and local requirements in the evaluation of sites for wastewater treatment and dispersal.
	RME	• Hire a certified/licensed site evaluator to perform site evaluation.
DESIGN	Regulatory Authority	• Codify prescriptive, pre-engineered designs that are suitable for treatment sites that meet the appropriate prescriptive site criteria. • Administer the plan review program for engineered designs to meet stipulated performance criteria. • Require routine operation and emergency contingency plans that will sustain system performance and avoid the submission of unpermitted discharges.
	Designer	• Obtain certification/license to practice. • Design treatment system that is compatible with the site and soil characteristics described by the site evaluator. • Comply with applicable federal, state, tribal, and local requirements in the design of wastewater treatment and dispersal systems.
	RME	• Hire a certified/licensed designer to prepare system design.
CONSTRUCTION	Regulatory Design	• Administer a permitting program for system construction, including Regulatory Authority review of proposed system siting and design plans. • Require designer of record to certify that completed system construction is in substantial compliance with approved plans and specifications. • Require that record drawings of constructed system be submitted to the Regulatory Authority by RME.
	Contractor/ Installer	• Obtain certification/license to practice. • Construct system in accordance with the approved plans and specifications. • Prepare record drawings of completed system and submit to RME. • Provide RME with an O&M manual describing component manufacturer's maintenance and troubleshooting requirements/recommendations. • Comply with applicable federal, state, tribal, and local requirements in the design and construction of wastewater treatment and dispersal systems.
	Designer of Record	• Approve proposed field changes and submit to RME. • Certify that construction of the system is substantially in conformance with the approved plans and specifications.
	RME	• Hire a certified/licensed designer to prepare system design. • Submit final record drawings of constructed system to Regulatory Authority. • Submit a copy of system O&M manual to the Regulatory Authority to record required maintenance.

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 5: RME OWNERSHIP

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
OPERATION & MAINTENANCE	Regulatory Authority	• Provide User with educational materials regarding system use and care. • Administer a program of renewable/revocable operating permits that are issued to RME that stipulate system performance, compliance monitoring reporting schedule, term of permit, and renewal option upon documented compliance with operating permit stipulations. • Track and review compliance monitoring reports to ensure that systems are operating in accordance with operating permits. • Consider replacing individual system operating permits with general permits issued to RME for classes of systems.
	Operator	• Inspect and service system as necessary in accordance with the submitted O&M manual and/or operating permit stipulations. • Perform system monitoring as stipulated in RME's operating permit. • Certify to RME that the required maintenance and monitoring were performed in a timely manner and noting any system deficiencies. • Comply with applicable federal, state, tribal, and local requirements in the operation and maintenance of the treatment and dispersal system.
	Pumper/Hauler	• Obtain certification/license to practice. • Inspect and service system as necessary. • Comply with applicable federal, state, tribal, and local requirements in the operation and maintenance of the treatment and dispersal system.
	User	• Follow recommendations provided by Regulatory Authority, Service Providers, and/or Owner to ensure that undesirable or prohibited materials are not discharged to system. • Comply with any RME requirements regarding care and use of system.
	RME	• Operate and maintain systems in accordance with the stipulated operating permit requirements. • Submit compliance monitoring reports to the Regulatory Authority according to the schedule stipulated in the operating permit. • Hire a certified/licensed pumper/hauler or operator to maintain system.
RESIDUALS MANAGEMENT	Regulatory Authority	• Administer a tracking system for residuals hauling, treatment, and disposal and review to evaluate compliance with 40 CFR Part 503 Use and Disposal of Sewage Sludge, 40 CFR Part 257, and applicable state, tribal, and local requirements. • Inventory available residuals handling/treatment capacities and develop contingency plans when capacities available are insufficient.
	Pumper/ Hauler	• Comply with applicable federal, state, tribal, and local requirements in the pumping, hauling, treatment, and disposal of wastewater treatment system residuals.
	RME	• Hire a certified/licensed pumper/hauler to remove, treat, and dispose of residuals. • Comply with applicable federal, state, tribal, and local requirements in the pumping, hauling, treatment, and disposal of treatment system residuals. • Inventory available residuals handling/treatment capacities and develop contingency plans when capacities available are insufficient.
COMPLIANCE INSPECTIONS/ MONITORING	Regulatory Authority	• Perform inspection programs at point-of-sale, change-in-use of properties, "targeted areas," and/or systems reported to be in violation. • Conduct compliance inspections of residuals hauling, treatment, and disposal. • Administer a program to monitor timely submittals of acceptable compliance maintenance reports. • Perform system inspections randomly and/or at the time of operating permit renewal.
	Inspector	• Obtain certification/license to practice. • Perform system compliance inspections for RME in accordance with prevailing Regulatory Authority requirements.
	RME	• Submit compliance monitoring reports to Regulatory Authority as stipulated in operating permit. • Submit a compliance inspection report signed/sealed by a certified/licensed inspector prior to applying for renewal of operating permit. • Conduct regular reviews of management program with Regulatory Authority to optimize system operation program. • Hire a certified/licensed inspector to inspect system compliance status.

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

MANAGEMENT MODEL 5: RME OWNERSHIP

PROGRAM ELEMENT	RESPONSIBLE PARTY	ACTIVITY[1]
CORRECTIVE ACTIONS	Regulatory Authority	• Negotiate compliance schedules with RME for correcting documented noncompliance items. • Administer the enforcement program including fines and/or penalties for failure to comply with compliance requirements. • Require system inspection by a certified inspector at time of operating permit renewal. • Negotiate compliance schedules with RME for correcting documented noncompliance items.
	Designer	• Provide RME with documents (drawings, specifications, modifications, etc.) that may be required by the Regulatory Authority prior to corrective action.
	Contractor/ Installer	• Perform required repairs, modifications, and upgrades as necessary.
	Inspector	• Inspect treatment system for compliance with operating permit prior to permit renewal.
	RME	• Comply with terms and conditions of the negotiated compliance schedule. • Submit required documents for corrective actions to the Regulatory Authority. • Hire appropriate certified/licensed Service Providers to perform required corrective actions.
RECORD KEEPING, INVENTORY, & REPORTING	Regulatory Authority	• Administer a database inventory (locations, site evaluations, record drawings, permits, and inspection reports) of all systems within the Regulatory Authority's jurisdiction. • Maintain a residuals treatment and disposal tracking system. • Maintain a current certified/licensed Service Provider listing, which is available to the RMEs. • Administer a tracking system for operating permits. • Administer a tracking database for compliance reports. • Administer financial, management, and technical audits of RME.
	Operator or Inspector	• Provide a certified report of all maintenance and observed system deficiencies to RME. • Provide a certified report of all observed system deficiencies to Owner. • Perform system monitoring as stipulated in RME's operating permit.
	Pumper/Hauler	• Prepare and submit records of residuals handling as required.
	RME	• Maintain system monitoring and service records. • Inventory, collect, and provide permit information to Regulatory Authority.
FINANCIAL ASSISTANCE & FUNDING	Regulatory Authority	• Provide the legal and financial support to sustain the regulatory program. • Provide a listing of financial assistance programs available to RME and the qualifying criteria for each program. • Consider implementing a state or local financing program to assist RME in upgrading systems.
	RME	• Conduct regular reviews of management program with Regulatory Authority to optimize operations.

[1] *Activities in bold are activities added to program elements from the preceding Management Model.*

APPENDIX B:

RELATIONSHIP TO OTHER EPA WATER PROGRAMS

APPENDIX B: RELATIONSHIP TO OTHER EPA WATER PROGRAMS

The Management Guidelines will help support the activities and approaches being applied in several other EPA programs and contribute toward achieving mutual water quality objectives and public health protection goals. Related programs include watershed management, water quality management, biosolids and residuals management, nonpoint source control, source water assessment and protection, underground injection control, water permitting, and coastal zone management. The relationship of the Management Guidelines to these companion programs is summarized in the following discussion.

Watershed Management. The Management Guidelines can be integrated into a comprehensive watershed approach at the state, tribal, or local government level. There are clear benefits to managing onsite/centralized systems at the basin, watershed, or subwatershed level. Ideally, the use of a watershed approach will facilitate the identification of both existing and anticipated sources of pollutants of concern, e.g., nutrient and pathogens, and allow the appropriate jurisdictions to take coordinated actions to protect or restore an identified resource. In such an approach, short- and long-term wastewater management plans and actions for both centralized and decentralized systems can be integrated into a comprehensive plan that may include analyses and actions that address the impacts of other contributing sources of pollutants such as animal waste, wildlife, or agriculture. The use of a watershed approach also encourages the coordination of management entities and actions across jurisdictions. Interjurisdictional planning and coordination can result in more efficient resource utilization, including data sharing, and also help to avoid inconsistent management policies or requirements that can cause unanticipated consequences, such as accelerated growth in adjacent communities due to their less burdensome requirements or lower costs.

National Pollutant Discharge Elimination System (NPDES). In 1972 Congress established the NPDES program under the Clean Water Act (CWA). Under the CWA, discharge of a pollutant from a point source to waters of the United States is prohibited unless that discharge is authorized by an NPDES (CWA Section 402) or wetlands (CWA Section 404) permit. The NPDES program includes discharges to ground water with a direct hydrologic connection to surface water. NPDES permits are issued by a state or tribe authorized to implement the NPDES program, or by EPA if there is no authorized state or tribe. The NPDES permit establishes necessary technology-based and water quality-based terms, limitations, and conditions on the discharge to protect public health and the environment.

EPA's NPDES regulations (40 CFR 122.28) provide for issuance of a "general permit" to authorize discharges from similarly situated facilities such as onsite and clustered systems. Several states, including Arkansas, Kentucky, and North Carolina, issue general permits. The draft Management Handbook contains an example of the key aspects of a general permit.

Biosolids and Residuals Management. The 1987 Amendments to the CWA required the development of comprehensive requirements for the use and disposal of sewage sludge (biosolids). As defined in the resulting "Use and Disposal of Sewage Sludge" rule at 40 CFR Part 503, *sewage sludge* includes the residuals produced by the treatment of domestic sewage (other than grit and screenings) and includes septage from onsite and clustered wastewater treatment systems. The Part 503 rule (along with the nonhazardous solid waste disposal requirements under 40 CFR Parts 257 and 258, which apply when domestic septage is mixed with other waste sources by pumpers) establish minimum federal requirements for the proper management of septage from onsite and clustered wastewater treatment systems. EPA has developed supplemental guidance on the management of septage in *Domestic Septage Regulatory Guidance: A Guide to the EPA 503 Rule*[13] and *Guide to Septage Treatment and Disposal*[14].The use and disposal of sewage sludge is usually regulated as part of the NPDES program.

Storm Water Management. Historically, polluted storm water runoff was often transported by municipal separate storm sewer systems (MS4s) or discharged from industrial or construction activities and ultimately discharged into local rivers and streams without treatment. Common pollutants include oil and grease from roadways, pesticides from lawns, sediment from construction sites, and carelessly discarded trash, such as cigarette butts, paper wrappers, and plastic bottles. When deposited into nearby waterways through MS4 discharges, these pollutants can impair the waterways, thereby discouraging recreational use of the resource, contaminating drinking water supplies, and interfering with the habitat for fish, other aquatic organisms, and wildlife.

In 1990 EPA promulgated rules establishing Phase I of the National Pollutant Discharge Elimination System (NPDES) storm water program. The Phase I program requires communities with MS4s serving populations of 100,000 or greater or sites with industrial or construction activity to implement a storm water management program as a means to control polluted discharges. The Storm Water Phase II Rule, promulgated on December 8, 1999, extends coverage of the NPDES storm water program to certain "small" MS4s and small construction sites. Operators of regulated small MS4s are required to design their programs to reduce the discharge of pollutants to the "maximum extent practicable," protect water quality, and satisfy the appropriate water quality requirements of the Clean Water Act.

The Phase II program for MS4s is designed to accommodate a general permit approach using a Notice of Intent (NOI) as the permit application. The operator of a regulated small MS4 must include in the permit application, or NOI, its chosen best management practices (BMPs) and measurable goals for each of six minimum control measures. To help permittees identify the most appropriate BMPs for their programs, EPA will issue a "menu" of BMPs to serve as guidance.

One measure in a Phase II storm water program is the detection and elimination of illicit discharges. EPA has determined that many onsite and clustered systems (typically those that discharge to surface waters) illicitly discharge effluent to storm ditches that drain to storm sewers. In such cases there must be a permit approach to protect the MS4 from pollutants associated with the onsite and clustered system. The Management Guidelines can be used to assist NPDES permit applicants in determining appropriate BMPs.

Water Quality Management (including Total Maximum Daily Loads). Nationally, states have reported in their Clean Water Act Section 303(d)

reports that designated uses are not being met for approximately 5,400 water bodies because of pathogens and that approximately 4,700 water bodies are impaired by nutrients[12]. Onsite wastewater treatment systems are often significant contributors of pathogens and nutrients. Under EPA's current requirements a Total Maximum Daily Load (TMDL) determination is required when the total loading of pollutants to a water body results in a violation of water quality standards. The Agency promotes the control and management of both point and nonpoint source discharges on a watershed basis. If onsite and clustered systems are determined to be a significant source of the pollutants, increased management is needed.

The most common approach to resolving problems with onsite wastewater treatment systems has been to replace the systems with a centralized wastewater treatment and collection system. However, a decentralized approach, with a high level of management, is capable of meeting water quality objectives while offering communities a wider range of options. In these situations, the Management Guidelines can be a valuable tool to use as the basis of TMDL/watershed implementation plans that promote improved management to address identified problems. An appropriate level of management, as described in this document, could reduce pollutant loads to achieve water quality standards. EPA also recognizes, as discussed more fully above, that there are situations where a system is subject to the NPDES program. In such cases, permit requirements should be consistent with any applicable TMDL and water quality standards.

Water Quality Standards. State and tribal water quality standards do not consistently address pathogen and nutrient loadings. This lack of consistency has resulted from a scarcity of information on how to measure, monitor, and evaluate the impacts of pathogens and nutrients on water quality. New methods and information are being developed to assist tribes, states, and local governments in assessing and developing appropriate management strategies to control these pollutants. EPA is developing recommendations for improved methods to measure and document human health risks due to exposure to the most common pathogens and differing concentrations of these pathogens. A thorough discussion is available in the draft *Implementation Guidance for Ambient Water Quality Criteria for Bacteria-1986.*[15] EPA is also developing a series of *Nutrient Criteria Technical Guidance Manuals*[16] [17] [18] for various water body types, such as rivers and streams. The intent of these documents is to provide states and tribes with methods to assess waterbody nutrient impairment, select criteria, design monitoring programs, and implement management practices. These factors should be considered during the siting, design, and operation of onsite and decentralized wastewater treatment systems.

Source Water Assessment and Protection. The 1996 Amendments to the Safe Drinking Water Act (SDWA) require states and tribes to implement Source Water Assessment and Protection (SWAP) programs that assess areas serving as sources of drinking water, identify potential threats, and implement protection efforts. The SWAP requires states to conduct source water assessments for all their public water systems. Assessments consist of delineating protection areas for the source waters of public drinking water supplies, identifying potential sources of contaminants within these areas, determining the susceptibility of the water supplies to contamination from these potential sources, and making the results of the assessments available to the public. Assessments for many water systems, such as those in rural areas, are likely to inventory onsite and clustered systems located in delineated source water protection areas and identify some of them as priority pollution threats. Communities are encouraged to consider this emerging information from the assessments as a factor in deciding what level of management

of onsite and clustered systems is necessary. Several programs specifically address the protection of ground water because it serves as the source of drinking water for 95 percent of the nation's population in rural areas and for half of the total U.S. population. EPA also recommends the Management Guidelines as a tool in the protection of drinking water sources.

Underground Injection Control (UIC) Program. Certain onsite systems are regulated under the UIC program. The UIC program was established by the SDWA to protect current and future underground sources of drinking water (USDWs) from contamination caused by subsurface disposal of wastes. EPA groups underground injection into five classes (Classes I–V), from deep to shallow. Class V wells include typically shallow, percolating systems, such as dry wells, leach fields, and similar types of drainage wells that overlie USDWs.

Under the existing federal regulations, most Class V injection wells are authorized by rule provided they meet certain reporting requirements (e.g., submit inventory information) and do not endanger USDWs. EPA recognizes that state, tribal, and local governments commonly regulate onsite systems of varying sizes. Regardless, the UIC program is responsible for ensuring that these entities meet UIC program requirements when regulating large-capacity septic systems (those that accept solely sanitary waste and have the capacity to serve 20 or more people per day). Onsite wastewater treatment systems may also be regulated under the UIC program by an authorized state, tribe, or EPA if they accept industrial, chemical, or other non-sanitary wastes, also called "industrial drainage wells" or "agricultural drainage wells."

In 1999 the UIC program undertook two efforts relevant to large-capacity septic systems. First, the program promulgated regulations prohibiting the construction of new large-capacity cesspools and ordered all existing large-capacity cesspools to be closed by April 5, 2005. Second, the program completed a comprehensive study of shallow injection wells, including septic systems, that are regulated under the UIC program.[19] EPA found that although the prevalence of contamination cases appears low relative to the prevalence of these systems, there are documented examples that implicate these large systems as sources of ground water contamination, and they are being addressed locally.

On June 7, 2002 (67 FR 39583), EPA announced a final determination for all subclasses of Class V wells (such as large-capacity septic systems) not included in the December 7, 1999, final UIC rule. The Agency determined that additional federal requirements are not needed at this time and that existing federal underground injection control regulations are adequate to prevent Class V wells from endangering USDWs. This determination is based on the actions EPA is taking to improve the performance of onsite and clustered systems through the development of the Management Guidelines.

Coastal Zone Managment Act/Coastal Zone Act Reauthorization Amendments of 1990 (CZMA/CZARA). EPA and the National Oceanic and Atmospheric Administration (NOAA) jointly administer Section 6217 of the CZMA/CZARA. This provision requires the 29 states with approved Coastal Zone Management Programs to establish and implement Coastal Nonpoint Pollution Control Programs. These programs must include management measures for both new and operating onsite sewage dispersal systems (OSDS). The measures are described in EPA's *Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters*[20]. The measure for new OSDS specifies that they be designed, installed, and operated properly and be situated at safe distances from sensitive resources, including wetlands and floodplains. Protective separation between the bottom of the infiltration system and ground water tables is to be established, and OSDS are to be designed to reduce nitrogen loadings in areas where surface waters might be adversely affected. The

measure for operating OSDS requires operation and maintenance to prevent surface water discharge and reduce loadings to ground water, as well as inspection at regular time intervals and repair or replacement of faulty systems. The OSDS measures described above are consistent with many of the concepts described in the Management Guidelines.

Nonpoint Source Program. Congress established the national nonpoint source program in 1987 when it amended the Clean Water Act with Section 319. States were required to conduct nonpoint source assessments and develop EPA-approved "Nonpoint Source Management Programs." All states and territories and, as of September 2001, more than 70 tribes (representing over 70 percent of Indian lands) now have EPA-approved nonpoint source assessments and management programs. Typical categories of nonpoint sources identified and addressed in the state, territorial, and tribal assessments and management plans include agriculture, urban, onsite disposal systems, forestry, and hydromodification. In some states the primary responsibility for managing onsite and clustered systems falls within the purview of the nonpoint source program.

Congress provides funding to assist the states, territories, and tribes in developing and implementing their nonpoint source management programs. These funds can be used by states, territories, and tribes to address sources identified in their management program submissions. States, territories, and tribes can use these funds to promote, demonstrate, and fund activities relating to onsite and clustered management programs, including monitoring, program assessments and development, demonstration projects, research, public education and outreach, and system replacement or rehabilitation. The voluntary Management Guidelines are intended to support the achievement of the goals of the state, territorial, and tribal programs as they relate to onsite and clustered program management.

Technology Transfer. EPA recently published the *Onsite Wastewater Treatment Systems Manual*[21] (Onsite Manual) to provide new information on alternative treatment technologies and to promote a performance-based approach to onsite and clustered wastewater system management. This document is an update of EPA's 1980 *Design Manual - Onsite Wastewater Treatment and Disposal Systems*[22]. The Onsite Manual serves as the technical complement to the Management Guidelines and as a reference to identify the environmental, technological, administrative, and public health factors to consider when developing an improved management program. The Onsite Manual contains information that program managers can use in assessing the environmental impacts of specific onsite and clustered wastewater treatment technologies on both the watershed and individual site levels and in the selection of appropriate technologies.

United States
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Additional copies of this document, (EPA 832-B-03-001), can be obtained from:

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DRAFT April 10, 2008

Southwest Florida Regional Planning Council

Managed Care Model Guidance for Onsite Wastewater Systems Planning, Treatment and Management

Resolution #2008-02

A RESOLUTION RELATING TO ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS WITHIN SOUTHWEST FLORIDA; PROVIDING SPECIFIC RECOMMENDATIONS AND GUIDELINES TO BE CONSIDERED BY LOCAL GOVERNMENT JURISDICTIONS FOR THE REGULATION, MANAGEMENT AND CONTROL OF ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS; PROVIDING RECOMMENDED DEFINITIONS; PROVIDING RECOMMENDATIONS FOR THE REGULAR MAINTENANCE AND INSPECTION OF EXISTING ONSITE WASTEWATER SYSTEMS AND ADOPTING INSPECTION STANDARDS AND REQUIRING TRAINING FOR SYSTEM INSPECTORS; PROOF OF MAINTENANCE AND INSPECTION TO BE PROVIDED TO THE LOCAL GOVERNMENT HEALTH DEPARMENT OR RESPONSIBLE MAINTENANCE ENTITY ON A FORM PREPARED BY THAT ENTITY; PROVIDING PERFORMANCE STANDARDS FOR ONSITE WASTEWATER SYSTEMS; PROVIDING RECOMMENDATIONS ON DEVELOPING INTEGRATED MANAGEMENT PLANS USING MANAGEMENT MODELS FOR CENTRALIZED AND DECENTRALIZED TREATMENT SYSTEMS, PROVIDING RECOMMENDATIONS FOR PUBLIC EDUCATION PROGRAMS; PROVIDING RECOMMENDATIONS FOR APPEALS, ADMINISTRATIVE RELIEF AND PENALTIES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Southwest Florida is a region where the water quality of the bays, estuaries, rivers, lakes, wetlands, bayous and the Gulf of Mexico is critical to the region's environmental, economic, and recreational prosperity and to the health, safety and welfare of the citizens of this region; and

WHEREAS, recent increased frequency and duration of red tide blooms and increased accumulation of red drift algae on local beaches and other algae and water related problems have heightened community concerns about water quality and cultural eutrophication of surrounding waters; and

WHEREAS, there is a need to develop a stronger knowledge of the connection between activities in yards, streets, and stormwater systems and natural water bodies among all those who live, work and recreate in the Southwest Florida Region; and

WHEREAS, this resolution is part of a multi-pronged effort by the Southwest Florida Regional Planning Council to reduce nutrient leaching and runoff problems by actions including, but not limited to, stormwater management, water conservation, septic systems, central sewage treatment, public education, restoration of surface and groundwater levels; and regional drainage of native habitats; and

WHEREAS, onsite wastewater treatment systems are commonly used in various forms throughout southwest Florida; and

WHEREAS, leaching and runoff of nutrients, pharmaceuticals, personal care products and pathogen contamination from substandard, improperly located or malfunctioning onsite wastewater treatment systems can contribute to pathogen, nitrogen and phosphorus pollution of the Southwest Florida's water resources; and

NOW, THEREFORE, BE IT RESOLVED by the Southwest Florida Regional Planning Council that the following provisions are recommended to local government jurisdictions in Southwest Florida as a basis for controlling, regulating, managing and monitoring the use and application of onsite wastewater treatment systems in Southwest Florida:

SECTION 1: PURPOSE AND INTENT

A. The Southwest Florida Regional Planning Council declares its support for the reasonable regulation and control of onsite wastewater systems and hereby provides specific management guidelines for onsite wastewater systems in order to minimize the negative environmental effects said systems have in and on Southwest Florida lakes, canals, estuaries, interior wetlands, rivers and near shore waters of the Gulf of Mexico. Collectively these water bodies are a natural asset, which are critical to the environmental, recreational, cultural and economic well being of this region and the surrounding areas and contribute to the general health and welfare of the public. Recent bacteriological contamination, red tide blooms, accumulation of red drift algae on local beaches, and the freshwater releases from Lake Okeechobee via the Caloosahatchee River have heightened community concerns about water quality and eutrophication of estuary, bay, river and coastal waters. Regulation of nutrients, including both phosphorus and nitrogen entering the water bodies in this region and prevention of pathogen contamination is a crucial step towards improving and maintaining water and habitat quality.

B. The purpose of this Resolution is to provide specific recommendations and guidelines to be considered by local government jurisdictions in Southwest Florida for the regulation of onsite wastewater systems.

C. Properly designed, installed, sited and maintained onsite wastewater systems are an effective means to deal with sewage. Current regulatory requirements only address the installation of septic systems, and there are few systematic educational opportunities instructing homeowners on septic system maintenance requirements. Hence, homeowners frequently do not understand the maintenance requirements of septic systems leading to system failures and a shortened system lifespan. While most operational failures that directly affect the homeowner are identified and

corrected promptly, the detection of functional failure of septic systems generally occurs when the water quality in an adjacent water body degrades and the search for potential sources identifies failing septic systems. The current response mechanism is reactive and results in repairs that are more expensive and time-consuming. In addition, onsite treatment regulations currently rely on prescriptive criteria that specify the type of system that must be installed and the types and depth of soils that must be present. They also require mandatory setbacks from seasonally high water tables, property lines, wells, surface waters, and other landscape features so that sewage impacts to these features do not occur. To be effective, these standards must be location-specific depending on geology, soils, slopes and groundwater tables of the location. Performance-based approaches are an alternative to prescriptive standards that makes use of emerging technology to select and size system technologies appropriate for the estimated flow and strength of the wastewater at the site where treatment is to occur. Therefore, this resolution seeks to establish a proactive approach to onsite wastewater system management and to further the use of performance-based permitting approaches. The principal objectives of this Resolution are as follows:

a. The protection of Southwest Florida's lakes, rivers and streams, wetlands, and groundwater essential to the promotion of public health, safety, welfare, socioeconomic growth and development of the region in perpetuity.

b. The proper management of onsite wastewater treatment systems to prevent the entry and migration of contaminants, thereby ensuring the non-degradation of surface water and groundwater.

c. The establishment of minimum standards for onsite wastewater systems management to prevent contamination and, if contamination is discovered, the identification and control of its consequences and the abatement of its source and migration.

d. The prevention and control of water-borne disease, lake degradation, groundwater related hazards, and public nuisance conditions through regular maintenance and inspections by trained operations and maintenance professionals.

SECTION 2: RECOMMENDED DEFINITIONS

The following are the minimum recommended definitions and the words, terms, and phrases when used in this Resolution shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Aerobic Treatment Unit (ATU): A mechanical wastewater treatment unit that provides secondary wastewater treatment for a single home, a cluster of homes, or a commercial establishment by mixing air (oxygen) and aerobic and facultative microbes with the wastewater. ATUs typically use a suspended growth process (such as activated sludge-extended aeration and batch reactors), a fixed-film process (similar to a trickling filter), or a combination of the two treatment processes.

*Alternative Onsite Treatment System**:*** A wastewater treatment system that includes components different from those typically used in a conventional septic tank and subsurface wastewater infiltration system (SWIS). An alternative system is used to achieve acceptable treatment and dispersal of wastewater where conventional systems either might not be capable of protecting public health and water quality or are inappropriate for properties with shallow soils over groundwater or bedrock or soils with low permeability. Examples of components that can be used in alternative systems are sand filters, aerobic treatment units, disinfection devices, and alternative subsurface infiltration designs such as mounds, gravel-less trenches, and pressure and drip distribution.

NSF Standard 40 Treatment Units and Advanced Wastewater Treatment Units: a sewage treatment unit which introduces air into sewage to provide aerobic biochemical stabilization within a treatment receptacle.

Onsite Sewage Treatment and Disposal System (OSTDS): Any domestic sewage treatment and disposal facility, including standard subsurface systems, gray-water systems, laundry wastewater systems, alternative systems or experimental systems, installed on land of the owner or on other land to which the owner or owners have the legal right to install a system.

Centralized Wastewater System: A managed system consisting of collection sewers and a single treatment plant used to collect and treat wastewater from an entire service area. Traditionally, such a system has been called a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

Clustered System: A wastewater collection and treatment system under some form of common ownership that collects wastewater from two or more dwellings or buildings and conveys it to a treatment and dispersal system located on a suitable site near the point of origin.

Comprehensive Plan: The local government comprehensive plan pursuant to Ch 163.3164 et seq, Florida Statutes. Plan recommends the land use densities and intensities. The general sanitary sewer element (Section 163.3177 (6) C) shall incorporate the integrated, comprehensive management plans for onsite/decentralized and centralized wastewater treatments systems as set forth in Section 6 below.

Decentralized wastewater treatment systems: individual onsite or clustered wastewater systems (commonly referred to as septic systems, private sewage systems, individual sewage treatment systems, onsite sewage disposal systems, or "package" plants) used to collect, treat, and disperse or reclaim wastewater from individual dwellings, businesses, or small communities or service areas.

Department: the Local Government Health Department.

Drainfield: a system of open-jointed or perforated piping approved alternative distribution units or other treatment facilities designed to distribute effluent for filtration, oxidation and absorption by soil within the zone of aeration.

Failure: a condition existing within an onsite wastewater treatment or decentralized system which prohibits the system from functioning in a sanitary manner and which results in the discharge of untreated or partially treated wastewater onto ground surface, into surface water, into groundwater, or which results in the failure of building plumbing to discharge properly.

Management Model: A 13-element program designed to protect and sustain public health and water quality through the use of appropriate policies and administrative procedures that define and integrate the roles and responsibilities of the regulatory authority, system owner, service providers, and management entity, when present, to ensure that onsite and clustered wastewater treatment systems are appropriately managed throughout their life cycle. The program elements include public education and participation; planning; performance; training and certification/licensing; site evaluation; design; construction; operation and maintenance; residuals management; compliance inspections/monitoring; corrective actions; recordkeeping, inventory, and reporting; and financial assistance and funding. Management services should be provided by properly trained and certified personnel and tracked through a comprehensive management information system.

Performance-based treatment system: a specialized onsite sewage treatment and disposal system designed by a professional engineer with a background in wastewater engineering, licensed in the state of Florida, using appropriate application of sound engineering principles to achieve specified levels of CBOD5 (carbonaceous biochemical oxygen demand), TSS (total suspended solids), TN (total nitrogen), TP (total phosphorus), and fecal coliform found in domestic sewage waste, to a specific and measurable established performance standard. This term also includes innovative systems.

Performance-Based Management Program: A program designed to preserve and protect public health and water quality by seeking to ensure sustained achievement of specific, measurable performance criteria based on site and risk assessments.

Performance Criteria: Any criteria established by the regulatory authority to ensure future compliance with the public health and water quality goals of the community, the state or tribe, and the federal government. Performance criteria can be expressed as

numeric limits (e.g., pollutant concentrations, mass loads, wet weather flow, structural strength) or narrative descriptions of desired conditions or requirements (e.g., no visible scum, sludge, sheen, odors, cracks, or leaks).

Prescription-Based Management Program: A program designed to preserve and protect public health and water quality by specifying pre-engineered system designs for specific sets of site conditions such that systems that are sited, designed, and constructed properly are deemed to meet public health and water quality standards.

Prescriptive Requirements: Specifications for design, installation, and other procedures and practices for onsite or clustered wastewater systems on sites that meet stipulated criteria. Proposed deviations from the stipulated criteria, specifications, procedures, or practices require formal approval from the regulatory authority.

Owner: The fee owner(s). Ownership interests shall be determined by reference to the records of the Local Government. The owner of each lot upon served by an onsite wastewater system is responsible for the lawful operation and maintenance of each onsite wastewater system.

Person: an individual, public or private corporation, company, association, partnership, municipality, agency of the state, district, federal or any other legal entity or its legal representative, agent or assignee.

Repair: modifications or additions to a failing or substandard system that are necessary to allow the system to function or must be made to eliminate a public health or pollution hazard. Pumping of septage from a system or making minor structural corrections to a septic tank does not constitute a repair.

Regulatory Authority: The unit of government that establishes and enforces codes related to the permitting, design, placement, installation, operation, maintenance, monitoring, and performance of onsite and clustered wastewater systems.

Responsible Maintenance Entity: A legal entity responsible for providing various management services with the requisite managerial, financial, and technical capacity to ensure the long-term, cost-effective management of decentralized onsite or clustered wastewater treatment facilities in accordance with applicable regulations and performance criteria.

Septic tank: a watertight receptacle constructed to promote separation of the solid and liquid components of wastewater, to provide limited digestion of organic matter, to store solids and to allow clarified liquid to discharge for further treatment in soil absorption systems and other treatment devices.

Septic tank contractor: a contractor whose services are unlimited in the septic tank trade and is registered and licensed by the department of health in accordance with the provisions of F.S. § *489.552.*

Surface water: a recognizable body of water, including swamp or marsh areas, bay heads, cypress ponds, sloughs and natural or constructed ponds contained within a recognizable boundary. This does not include storm water retention or detention areas designed to contain standing or flowing water for less than 72 hours after a rainfall. The landward extent of waters shall be demarcated by F.A.C. 62-4.022; however, in no case shall the landward extent of such waters extend above the elevation of the one in ten-year recurring flood extent, or that area of land occupied by standing or flowing water for more than 30 consecutive days per year, as calculated on an average annual basis, whichever is more landward. Such extent shall be defined by species of plants or soils that are characteristic of those areas subject to regular and periodic inundation.

SECTION 3: RECOMMENDATIONS RELATING TO ONSITE WASTEWATER DISPOSAL SYSTEMS; INSPECTION PROCEDURES; ASSESMENT

A. Inspection Procedures: All inspections shall be performed by registered septic tank contractors, licensed plumbers, licensed wastewater treatment plant operators, or certified environmental health professionals with training on the units being inspected. Procedures used by the inspector shall be documented. At a minimum, the inspection shall include a tank inspection, a drainfield inspection, and a written assessment of the condition of the system. At any time where the inspector finds that the system is in failure, or has been in failure, the inspector shall inform the owner and the County Health Department and Responsible Maintenance Entity of the findings.

1. Existing septic systems or other onsite sewage treatment and disposal systems shall be inspected every three to five years at a minimum. .

2. The inspection is designed to assess the condition of a system at a particular moment in time. The inspection will identify obvious substandard systems, for example, systems without drainfields, systems with overflow pipes, or systems otherwise discharging improperly treated sewage. The inspection is not designed to determine precise code compliance, nor precise information to demonstrate that the system will adequately serve the use to be placed upon it by this or any subsequent owner. Nothing in this section shall be construed to limit the amount of detail an inspector may provide at their professional discretion. Inspectors must receive advanced training in operations and maintenance of onsite wastewater systems and inspector training.

3. Aerobic treatment units and performance-based treatment systems shall not be evaluated using these criteria; rather the responsible management entity or inspector shall obtain an operating permit from the Department of Health. These inspection procedures are intended to be used as a minimum standard when these types of inspections are performed. Additional inspections may be performed.

4. This procedure shall be used for onsite sewage treatment and disposal system inspection at a minimum of once every three to five years to ensure that systems are not harming the environment or public health.

5. Tank Inspection: The tank must be pumped at the time of inspection to determine its capacity. Visual inspection of the tank must be made when the tank is empty to: a) detect cracks, leaks, or other defects, b) check baffles and tees to ensure they are intact and secure, c) note the presence and condition of outlet device, effluent filters and compartment walls, d) note any structural defects in the tank, e) note the condition and fit of the tank lid, including manholes. If the tank, in the professional opinion of the inspector, is in danger of being damaged by leaving the tank empty after inspection, the tank will be refilled with water prior to concluding the inspection. Where proof of a tank pumping, permitted new installation or permitted repair, or permitted modification can be documented within the previous repair, or permitted modification can be documented within the previous three years, and where the document states the capacity of the tank and that the condition of the tank does not constitute a sanitary nuisance, the inspector may waive the pumping requirement.

6. Drainfield Inspection: The drainfield area should be probed at the time of inspection to determine its location and approximate size. Note whether the drainfield is a trench or bed configuration and whether it is made of mineral aggregate, non- mineral aggregate or plastic chambers. In addition, note any indications of previous failure, such as the condition of surface vegetation. For example, is there any seepage visible or excessively lush vegetation. The inspection should note if there is ponding water within the drainfield and if there is even distribution of effluent in the field. The inspection should note any downspouts or drains that encroach or drain into the drainfield area. Where the system contains pumps, siphons, alarms, the following information is required:

a. Dosing tank integrity, approximate volume and material used in construction (i.e., concrete, fiberglass, plastic)
b. Pump elevated off the bottom of the chamber
c. Pump operational status
d. If there is a check valve, is a purge hole present?
e. Is there a high water alarm present?
f. Type of alarm (audio/visual/both) and the location
g. Does the alarm work?
h. Do electrical connections appear satisfactory?
i. Can surface water infiltrate into the tank?
j. Indicate whether the pump tank was pumped out

B. Assessment: The inspector shall provide a copy of a written signed inspection report to the person requesting the assessment and the owner of the system and to the county health department within 5 days of completing the inspection. The report shall indicate whether the system is or is not, in the professional opinion of the inspector:

a. A sanitary nuisance through:

• allowing the discharge of untreated or improperly treated waste.

• an improperly built or maintained sewage treatment tank.

• the creation, maintenance, or causing of any condition capable of breeding flies, mosquitoes, or any other arthropods capable of transmitting diseases directly or indirectly to humans.

b. The report will indicate any maintenance that needs to be performed on the system.

C. Disclosure Statements:

The following conditions, when determined during the course of an inspection, shall be disclosed using the appropriate disclosure statement(s) below:

1. When the inspector detects cracks, leaks, improper fit or other defects in the tank, manholes or lid; the report shall state that the damaged or defective item or tank be properly corrected.

2. When the inspector detects any missing or damaged component of the system, the report shall state that the missing or damaged component be replaced or an approvable replacement reinstalled in the system.

3. When the inspector detects previous failure indicators, these should be documented in the report.

4. When the inspector detects ponding of the drainfield or uneven distribution of effluent, documentation of the extent of such ponding or uneven distribution shall be included in the report.

5. When the inspector detects downspouts or other storm water or other source of water directed toward the system, the report shall state that these sources be directed away from the system.

6. When the inspector finds that any portion of the drainfield is covered by pavement or driveways that the pavement or driveway be removed from that location.

D. Any condition or situation existing on the site at the time of the inspection that, in the opinion of the inspector, would possibly interfere with the proper function or restrict any future repair to or modification to the existing system shall be included in the report.

SECTION 4: RECOMMENDATIONS RELATING TO ONSITE WASTEWATER DISPOSAL SYSTEMS; BEST AVAILABLE TECHNOLOGY; RELATIONSHIP TO CENTRAL SYSTEMS

A. No new onsite wastewater treatment systems should be permitted on Barrier Islands, Bay Islands, Sound Islands, Pass Islands or the like unless they meet performance criteria described in Section 5 below.

B. Existing systems on Barrier Islands, Bay Islands, Sound Islands, Pass Islands or the like shall be upgraded until the system meets performance criteria described in Section 5 below including evaluation criteria.

C. No new onsite wastewater treatment systems should be permitted on the mainland unless there is no available connection to a centralized sewer system and the onsite systems meet performance criteria described in Section 5 below including evaluation criteria.

D. When centralized wastewater collection systems are in or come into contact with onsite wastewater treatment systems, the onsite wastewater treatment system owners will hook up to the Central Wastewater Treatment System and apply for a permit to decommission the onsite system. Exemptions are allowed for those communities who choose to implement Management models 4 or 5 of Section 6(c) below and in addition whose systems meet performance criteria in Section 5 below.

E. Existing onsite wastewater treatment systems within the service area of an existing Central Wastewater Treatment System will hook up to that Central Wastewater Treatment System and apply for a permit to abandon the onsite system. Exemptions to this provision E are allowed for those communities who choose to implement Management models 4 or 5 of Section 6(c) below and in addition whose systems meet performance criteria in Section 5 below.

F. Where existing onsite wastewater treatment systems are not within or adjacent to a central wastewater treatment system, onsite wastewater treatment systems will be replaced or improved as needed to Best Available Technology (BAT) Standards with no discharge to surface waters and that meet performance standards described in Section 5 below, including evaluation criteria

G. New facilities will be constructed in such a way as to minimize the cost and logistical problems for later hook-ups to centralized systems at such time as this option becomes available. New developments will run dry pipe for connection to the central service. Exemptions to this provision G are allowed for those communities who choose to implement Management models 4 or 5 of Section 6(c) below and in addition whose systems meet performance criteria in Section 5 below.

SECTION 5: RECOMMENDED PERFORMANCE STANDARDS FOR ONSITE/DECENTRALIZED TREATMENT SYSTEMS

A. New onsite/decentralized treatment systems including retrofits of existing systems shall meet performance criteria set forth herein or at a minimum those set forth in Florida Administrative Code, Chapter 64E-6.025(2) Advanced Wastewater Treatment Standards for performance-based systems. Existing systems will be upgraded to meet these criteria as soon as practicable as determined in local management plans for onsite/decentralized and centralized treatment systems described in Section 6 below.

1) Sewage waste and effluent from onsite treatment systems shall not be discharged onto the ground surface or directly or indirectly discharged into ditches, drainage structures, groundwater, surface waters, or aquifers.

2) No net increase in suspended material, nutrients or pathogens will result from onsite treatment systems to surface waters or groundwater.

3) Effluent from onsite treatment units shall be disposed of in conformance with requirements of the Department of Health, Responsible Maintenance Entity (RME), Department of Environmental Protection and local government wastewater treatment management plans.

4) Applications for new individual onsite system permits shall be made to the Department of Health and the local RME if the latter is required by the local wastewater management plan. The application and all supporting information shall be signed, dated and sealed by an engineer, registered in the State of Florida. Applications shall include at a minimum:
(a) System design criteria, to include performance levels for the performance-based system and monitoring requirements and monitoring locations, and method of monitoring flow through the system.
(b) System design calculations for the performance-based system.
(c) A monitoring protocol designed to validate that the system will meet performance criteria herein and perform to the engineer's design specifications.
(d) Compelling evidence that the system will function properly and reliably to meet these requirements. Such compelling evidence shall include one or more of the following from a third-party testing organization approved through the NSF Environmental Technology Verification Program:
    1. side stream testing.
    2. testing of systems in other states with similar soils and climates.
    3. laboratory testing.
(e) Other information as required by Florida Administrative Code Chapter 64E-6.

5) Evaluation criteria: A monitoring plan shall be implemented to evaluate the system's performance to ensure the system is meeting the performance criteria herein. At minimum, monitoring will encompass sampling a location upstream and another downstream of the system. Compliance with required performance standards shall be met at the downstream property line. If the system is non-compliant, a plan must be created and implemented to put the system into compliance.

6) Implementation and enforcement methods: Local requirements can be enforced through a variety of methods. These include developing building permitting procedures that require proof of installation of a compliant system prior to issuing the certificate of occupancy. They may also include identifying the county health department as the enforcement agency. Local governments should also identify the responsible legal counsel for enforcement activities.

B. Decentralized or clustered wastewater systems (commonly referred to as septic systems, private sewage systems, individual sewage treatment systems, onsite sewage disposal systems, or "package" plants) used to collect, treat, and disperse or reclaim wastewater from individual dwellings, businesses, or small communities or service areas will meet or exceed prescribed criteria described in SWFRPC Resolution #2007-05, hereby incorporated by reference.

SECTION 6: RECOMMENDATIONS RELATING TO DEVELOPING INTEGRATED, COMPREHENSIVE MANAGEMENT PLANS FOR ONSITE/DECENTRALIZED AND CENTRALIZED TREATMENT SYSTEMS

A. Local governments will ensure the development of integrated, comprehensive management plans for planning and managing all wastewater treatment systems, including onsite/decentralized and centralized systems for the communities within their jurisdiction **by no later than 2012**. Communities contiguous with or otherwise impacting those waterbodies listed as verified impaired by the Florida Department of Environmental Protection will receive prioritization in this process. Local governments will ensure community residents and other citizens are involved in the creation of the management plans.

B. Management plans will include a description of how each community will implement a comprehensive, life-cycle series of elements and activities that address public education and participation, planning, performance, site evaluation, design, construction, operation and maintenance, residuals management, training and certification/ licensing, inspections, monitoring, corrective actions, recordkeeping/ inventorying/ reporting, and financial assistance and funding for all wastewater treatment systems, including onsite/decentralized and central sewer. The management plan will establish the distinct roles and responsibilities of participants, which will include at minimum: regulatory and elected officials, developers and builders, soil and site evaluators, engineers and designers, contractors and installers, manufacturers, pumpers and haulers, inspectors, management entities, utilities and property owners. Management plans should

also recognize and address the inter-relationship between potable water sources and wastewater discharge. Replenishment of water supply aquifers is beneficial and can avoid adverse impacts including drawdown of water tables and saltwater intrusion. Reuse systems should be considered as a potential source of irrigation water for both centralized and decentralized systems.

C. Management plans will provide detailed information on locations where onsite/decentralized systems will be considered a permanent or near-term treatment option and those locations projected to be connected to central sewer systems. Soils, geology, groundwater tables, distance to surface waters, sensitive lands and other factors will be considered when developing the management plan and the determination of types of wastewater treatment option appropriate for each community. For those locations whereby onsite/decentralized systems will be considered a permanent or near-term treatment option, one or more of the following U.S. EPA management models will be applied depending on the sensitivity and suitability of the environment. Five separate model programs are briefly presented below as a progressive series; more detailed descriptions are included in the Attachment. Management requirements of onsite/decentralized wastewater systems become more rigorous as the system technologies become more complex or as the sensitivity of the environment increases. Each of the model programs shares the common goal of protecting human health and the environment and includes elements and activities needed to achieve the management objectives. The five model management programs are as follows:

1. Management Model 1 - “Homeowner Awareness” specifies appropriate program elements and activities where treatment systems are owned and operated by individual property owners in areas of low environmental sensitivity. This program is adequate where treatment technologies are limited to conventional systems that require little owner attention. Systems are properly sited and constructed based on prescribed criteria. System owners are made aware of maintenance needs through reminders. There exists an inventory of all systems.
2. Management Model 2 - “Maintenance Contracts” specifies program elements and activities where more complex designs are employed to enhance the capacity of conventional systems to accept and treat wastewater. Because of treatment complexity, contracts with qualified technicians are needed to ensure proper and timely maintenance. Systems are properly sited and constructed. Systems require service contracts to be maintained. There exists an inventory of all systems and service contract tracking system.
3. Management Model 3 - “Operating Permits” specifies program elements and activities where sustained performance of treatment systems is critical to protect public health and water quality. Limited-term operating permits are issued to the owner and are renewable for another term if the owner demonstrates that the system is in compliance with the terms and conditions of the permit. Performance-based designs may be incorporated into programs with management controls at this level. Regulatory authority establishes system performance and monitoring requirements that allows engineered designs but may provide prescriptive designs for specific

receiving environments. There exists regulatory oversight by issuing renewable operating permits that may be revoked for noncompliance. There exists an inventory of all systems and a tracking system for operating permit and compliance monitoring. This model is a minimum for large-capacity and cluster systems. This is the minimum model recommended for environmentally sensitive areas (e.g. sites with poor soils, high seasonal water tables, high densities of existing systems, systems near surface waters or in floodplains).

4. Management Model 4 - "Responsible Management Entity (RME) Operation and Maintenance" specifies program elements and activities where frequent and highly reliable operation and maintenance of decentralized systems is required to ensure water resource protection in sensitive environments. The operating permit is issued to an RME instead of the property owner to provide the needed assurance that the appropriate maintenance is performed. Regulatory authority establishes system performance and monitoring requirements and is provided regulatory oversight by issuing operating or NPDES permits directly to the RME. (System ownership remains with the property owner.) There exists an inventory of all systems and a tracking system for operating permit and compliance monitoring.
5. Management Model 5 - "RME Ownership" specifies that program elements and activities for treatment systems are owned, operated, and maintained by the RME, which removes the property owner from responsibility for the system. This program is analogous to central sewerage and provides the greatest assurance of system performance in the most sensitive of environments. Regulatory authority establishes system performance and monitoring requirements and is provided regulatory oversight by issuing operating or NPDES permit. Qualified, trained, licensed, professional management of all aspects of onsite/decentralized systems through public/private RMEs that own or manage individual systems. There exists an inventory of all systems and a tracking system for operating permit and compliance monitoring.

The program elements and activities listed for each management model are considered to be the minimum elements and activities necessary to achieve the stated management objectives. Elements from 2 or more models can be combined depending on the needs of the community and sensitivity of the local environment. The general framework for the management plan regarding onsite/decentralized treatment types should be derived from the above descriptions, but it should be tailored to suit local circumstances and preferences.

D. The Management Plan shall be incorporated into local government planning, including County Comprehensive Plans. A map depicting locations where onsite/decentralized systems will be considered a permanent or near-term treatment option and those locations projected to be connected to central sewer systems will be included in the sanitary sewer section of the local government Comprehensive Plan. The section will also include information indicating which management model(s) will be employed for each region or district throughout the jurisdiction. Management Plan requirements will be incorporated into the local government land development regulations.

SECTION 7: RECOMMENDATIONS RELATING TO ONSITE WASTEWATER DISPOSAL SYSTEMS; LOW-INCOME REPAIR ASSISTANCE PROGRAMS

The Local Government shall make every reasonable effort to assist onsite wastewater system owners who are at or below 200% of the federal poverty level to pay for the needed repairs or maintenance in order to bring their system into compliance with all Florida laws and regulations. As a result of a mandatory inspection, if an onsite wastewater system requires repairs, maintenance or replacement, the County will assist qualified individuals in applying for the State Revolving Loan Program, the State Housing Initiative Program, or other relevant programs available to assist individuals to repair and maintain onsite wastewater systems.

SECTION 8: RECOMMENDED PUBLIC EDUCATION PROGRAM

A. Public Education is highly recommended regarding the appropriate use and maintenance of Onsite Wastewater Treatment facilities. Local governments will work with the Health Department the Florida Onsite Wastewater Association and IFAS Cooperative Extension staff to offer courses and educational materials to all current and future owners.

B. A general education program will be coordinated with local media to advise the public on the proper use and maintenance of Onsite Wastewater Treatment facilities and the environmental and health problem associated with mis-use and mis-management. Such education program will be based upon and utilize materials from the Health Department and the Florida Onsite Wastewater Association.

SECTION 9: IMPLEMENTATION SCHEDULES

Currently plants that manufacture performance based treatment systems have a limited production capacity. It takes several months to install new equipment to begin the manufacture of the inventory needed. In order to enable the region's manufacturing facilities to provide adequate supply of systems required by section 5, an implementation schedule shall be included in the implementing ordinance. The schedule shall allow adequate time for the regional manufacturers to install the equipment and manufacture the supply of the treatment units required by the ordinance. Input from regional suppliers should be sought when developing the schedule.

SECTION 10: RECOMMENDATIONS FOR APPEALS, ADMINISTRATIVE RELIEF AND PENALTIES.

Each local government jurisdiction should establish provisions for proof of compliance, appeals of administrative decisions and/or denials, provisions for administrative relief in the event of unique circumstances

not addressed by local government onsite wastewater treatment system regulations, and penalty and enforcement provisions necessary to accomplish the goals and objectives of the local jurisdiction's onsite wastewater treatment regulations.

PASSED AND DULY ADOPTED BY THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL this ____ day of _____, 2008.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

_____

Andrea Messina, Chairman

ATTEST:

_____

Kenneth Heatherington, Executive Director

_____Agenda
_____Item

6c

Legislative Subcommittee Report

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SWFRPC LEGISLATIVE SUBCOMMITTEE
MEETING MINUTES
MARCH 20, 2008

Members

Commissioner Jim Coletta, Collier County BOCC (Chair)
Commissioner Adam Cummings, Charlotte County BOCC
Ms. Andrea Messina, Charlotte County Governor Appointee
Commissioner Paul Beck, Glades County BOCC
Ms. Laura Holquist, Collier County Governor Appointee
Council member Teresa Heitmann, City of Naples

Guests

Former Representative J. Dudley Goodlette
Mr. Bill Barton, SWF Expressway Authority

Staff

Mr. David Hutchinson, Planning Director
Ms. Nichole Gwinnett, Administrative Specialist

Call To Order

Commissioner Coletta called the meeting to order at 12:25 pm.

Former Representative J. Dudley Goodlette, Florida Taxation and Budget Reform Commission

Mr. Goodlette noted that the Florida Taxation and Budget Reform Commission's deadline for submitting proposals and putting them on the constitution/ballot is 180 days prior to the general election which is May 6th.

Commissioner Coletta asked if the Florida Association of Counties and Florida League of Cities have taken any action on the proposals that the Commission has been considering. Mr. Goodlette explained that they both have been actively engaged. They make presentations at every meeting on every measure that affects local governments.

Ms. Messina asked if Florida Regional Councils Association (FRCA) has taken any action. Mr. Goodlette replied that he doesn't recall.

Commissioner Coletta asked the members of the subcommittee what they wanted to recommend to the Council. Mr. Goodlette explained that the final vote is scheduled for March 24 and 25 and the agenda is structured and he urged the members to access the Commission's website at www.Floridatbrc.org and submit their input on the proposals, especially Proposals 002 and 045.

Ms. Messina directed staff to create a link on the Council's website to the Commission's website and then email the Council members with direction to them to go to the Commission's website and submit their comments on Proposals 002 and 045 before the deadlines. Mr. Goodlette noted that the Commission's website also has the Commissioners' individual email addresses in order to submit their comments.

Mr. Bill Barton, Chairman – SWF Expressway Authority

Mr. Barton explained that the language that forecloses the Authority from being involved in CR951 was a concession from the environmental community at the time that the bill was passed, but the reasons for that concession now have virtually gone away because the environmental community in Collier County has decided what the alignment of CR951 should be. It appears to be a simple legislative change (Chapter 2005.154 Section 348.9933 subparagraph 5) which is a statement that needs to be deleted. The statement reads "The Authority is precluded from involvement with any future development of CR951."

Commissioner Coletta explained that if the legislative statement is deleted it doesn't mean that CR951 will become part of the Authority and it won't be able to be built; however, it doesn't eliminate it. The Expressway Authority wasn't ever going to look at CR951 as an alternate to I-75 because it was a competing facility, but by adding an extra lane in the middle now allows CR951 to become a serious option to be able to meet future needs. The problem that he currently sees is that the Council doesn't meet until April and he doesn't see how it is going to work time wise. Mr. Barton explained that the Authority had already passed the motion that they had no objection to the removal of the legislative language from the enabling legislation.

Ms. Messina stated that if you are going to ask the Council to endorse the removal of the language from the enabling legislation then there needs to be some effort made to contact those environmental organizations which were in opposition and invite them to a Council meeting so they can state that they no longer are against having that statement removed from the enabling legislation.

Ms. Holquist suggested inviting them to the April meeting because the issue will still be fresh in the minds of the Council members. Commissioner Coletta stated that he doesn't see a problem with it being on either the April or May agenda.

Mr. Heatherington noted that both Senator Saunders and Representative Richter are scheduled to be in attendance at the Council's May meeting for the Legislative "Wrap-up."

Legislative Update

Mr. Heatherington gave a status of current legislative issues.

Commissioner Cummings stated that he would bet that the legislature is going to approve the revenue caps and in the end it won't matter what happens statewide and in Charlotte County, but what will matter is what happens in Miami, Tampa, and Orlando. When those communities hit a wall is when the legislature will have to respond to it.

Ms. Holquist referred to DCA's Citizen's Planning Bill of Rights and Transportation Concurrency Bill. Mr. Heatherington explained that there are many bills under DCA's legislative package (Growth Management Section 163) and affordable housing is a separate one. Ms. Holquist explained that within the Transportation Concurrency Bill they are proposing to change over to a mobility fee and everybody will be treated equally then.

Mr. Heatherington asked Mr. Hutchinson what was FDOT's position on the mobility issue? Mr. Hutchinson explained that FDOT is currently reviewing the proposal and that DCA's language is proposing spending a year to compose a formula and create pilot proposals. He noted that someone had proposed placing a cap on a trip fee of $250 per trip for any and all development.

Mr. Heatherington reviewed FRCA Legislation.

Commissioner Coletta announced that a Legislative Subcommittee teleconference will be held 10 days prior to the April Council meeting to discuss the pending legislative issues and make recommendations to the Council for the April meeting.

Commissioner Beck referred to the Council's Resolution #2008-01 and requested that it be sent to the Southwest Florida legislative delegation along with a transmittal letter.

Councilmember Teresa Heitmann introduced herself as the Council's newest member from the City of Naples.

The meeting adjourned at 1:40 pm.

Agenda Item

6d

Legislative Update

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6d

Ronald L. Book, P.A.
LAW OFFICES
PROFESSIONAL ASSOCIATION

The WREN Group

Session Update #5

The House and Senate approved their appropriations bills in Committee during week 5 and prepared to hear the bills on the floors of both chambers during week 6. The cuts to the budgets are devastating. The total House proposal is approximately $65 billion, while the Senate proposal approaches $66 billion. The budget approved last session totaled approximately $73 billion.

The reduced total of the proposals demonstrate the enormity of the situation and the broadness of the cuts. The House did choose to restore some cuts, including vision and dental services for Medicaid recipients and Children's Medical Services programs such as cleft lip/palate surgeries, pediatric liver and kidney transplants and pediatric AIDS care. Although there are still many proposals to raise revenue, such as a $1 per pack cigarette tax and video lottery terminals, none of these proposals seem to be moving.

Highlights of this years' proposed House Water and Environment budget include:

- **No funding** for the Florida Forever Program
- **No funding** for Everglades Restoration which includes Lake Okeechobee, Caloosahatchee and St. Lucie River and Estuaries
- $43.1 million for Water Projects (as of yet unspecified)
- **No funding** for implementation of Fla. Water Protection and Restoration Act (SB 444)
- $15 million for Statewide Beach Projects
- $38.4 million for Exotic Plant Control

The Florida Regional Councils are funded in the Senate first proposed budget at $2.5 million, in the House there is no similar proviso at this time. We will continue to work on this funding item, as you know. Please continue to make calls to legislators expressing the need for funding and explaining the importance of the Regional Councils.

TAXATION AND BUDGET REFORM COMMISSION

The Taxation and Budget Reform Commission met Friday, April 4 from 8:30 am to 6:00 pm. On the agenda was **CS/CS/CP 45 Revenue Caps, (TABOR)**. As of Friday, there were 17 amendments filed and 95 speaker cards submitted, some of which made substantive

changes in the direction of the TBRC and how local government revenues and proposed caps are addressed, others redirected the responsibility for the specifics of the local government revenue cap to the legislature, with further amendments that give direction as to that goal. Further amendments addressed bonding by local government or exempt children's services and juvenile justice.

After discussing other items, the TBRC took up the Tabor proposal, taking up amendments, switching to public testimony, and then switching back to amendments. At this point, it was determined that too many amendments had been filed too close to the meeting start time to take a final vote that same day. So the TBRC decided to come back on Monday, April 14 and take a final vote on TABOR then.

Before moving back to public testimony for the balance of today's meeting, the TBRC did take a vote on Amendment No. 11, which was the strike-all/substitute amendment by Commissioner Corcoran. Amendment No. 11 would amend the Florida Constitution to require the Legislature to implement TABOR revenue caps on only local governments (not the Legislature itself), along with supermajority overrides. It would also embed in the constitution the same revenue caps on state government that it required the Legislature to apply to local governments (1% plus CPI plus population growth). Amendment 11 is only a revenue limitation. It doesn't require voter approval of new taxes, and doesn't require supermajority votes on new or increased taxes and fees. Amendment 11 does revise the existing revenue cap that applies to the state to bring state matching funds for Medicaid within the state cap. Previously, Medicaid match funds were outside the state revenue cap.

Amendment 11 was adopted onto the TABOR proposal by a vote of 16-8. The proposal as amended will now be addressed at the next meeting. As you may know, 17 votes are required to put any proposal on the ballot. However, as stated above, the TBRC will hold their next meeting on Monday, April 14.

LEGISLATION OF INTEREST

Below please find additional legislation that we are continuing to monitor for impacts to local governments.

SB 1302 Wastewater Disposal / Ocean Outfalls (Saunders) was amended during week 4 with a strike-everything amendment addressing ocean outfalls that exist in Miami-Dade, Broward and Palm Beach Counties. The bill would require the South Florida Water Management District (SFWMD) to include in its regional water supply plan, water resource and water supply development projects that promote the elimination of ocean outfalls. This bill would add projects that implement reuse and assist elimination of outfalls to the list of water supply development projects eligible for first consideration for funding by the water management districts; require SFWMD to require use of reclaimed water made available by elimination of ocean outfall discharges in lieu of surface or groundwater when the use of uncommitted reclaimed water is environmentally, economically, and technically feasible and of such quality and reliability as is necessary to the user, and allow SFWMD also to require such reclaimed water in lieu of other alternative sources. The SFWMD is required to consider existing infrastructure investments in place or obligated to be constructed in determining whether to require that reclaimed water be used.

The bill also creates a new section of law, s. 403.086, F.S., which prohibits the construction of new outfalls or expansion of existing ones, would require discharges from existing outfalls to meet advanced wastewater treatment standards by the end of 2013; would prohibit discharge of domestic wastewater through ocean outfalls after December 31, 2025 and require local governments discharging through outfalls to install a functioning reuse system meeting criteria set forth in the bill by that date; would require reports every five years starting December 31, 2009 from local governments to produce a report detailing how they will meet the requirements of the bill.
Action: SB 1302 passed General Government Appropriations. There is no house companion however language is expected to be available next week.

CS/SB 816 Red Light Cameras (Bennett) in its current form, preempts local counties and cities from passing ordinances; provides a five year grace period for county or city contracts; provides for a $60.00 fine for the first three offenses. Lastly, the bill would provide that if after one year there is a 10% or more increase in the number of accidents at that intersection then the camera is to be removed. Additionally, amended bill redirects the fee collected to various state trust funds as described in s. 318.21 to include a lengthy list of state trust funds while prohibiting any other fees to be charged in addition to the set $60 fine for the first three offenses.
Action: CS/SB 816 committees of reference are: Criminal Justice (who will hear the bill next week); Community Affairs; Transportation and Economic Development Appropriations. An additional reference was added to include Health and Human Services Appropriations. As stated, CS/SB 816 will be heard in Criminal Justice on 4/8/08.

HB 351 Relating to Uniform Traffic Control (Reagan) at this time continues to be substantially different that the Senate bill and authorizes counties and municipalities to enact ordinances permitting the use of traffic infraction detectors. The penalty for failing to stop at a steady red light, as determined through the use of a traffic infraction detector, is a fine of $125.
Action: HB 351, the companion red light bill was referred to Economic Expansion & Infrastructure Council; Policy & Budget Council; was passed by the Infrastructure committee on 2/21 and is now in the House Economic Expansion & Infrastructure Council. There was no action on this bill this week.

SB 2148 Public Construction Works (Haridopolos) and HB 683 (Weatherford) expands the requirement in current law that public construction projects be competitively bid to include repair or maintenance of a public building, structure, or other public construction works. The bill now removes the detailed appraisal process but still requires local governments to exceed the 10 % threshold before proceeding with their own resources, and must provide factually support in these instances. Public airports owned and operated by local governments are excluded from the requirements of the strike-all amendment.
Action: SB 2148 was scheduled to be heard in Community Affairs committee but discussions on other items prevented a hearing on this bill. HB 683 was on the agenda for the Government Efficiency & Accountability Council, however the meeting was cancelled.

SB 474 Growth Management (Garcia) is the Department of Community Affairs legislation that addresses issues such as local planning agencies, required and optional elements of the local comprehensive plan, comprehensive Everglades Restoration plan, coastal high-hazard areas, transportation concurrency exception areas, initiatives and mobility fee, public

participation in the comprehensive planning process, local government adoption of comprehensive plan amendments and affordable housing.
Action: The Community Affairs committee took public testimony and discussed this legislation at length during the 4th week of session but then temporarily passed the bill. This bill did not have a hearing during this the 5th week.

SB 482 Affordable Housing (Garcia) creates definition for "moderate rehabilitation" to allow State Apartment Incentive Loan (SAIL) program funds to be used for the preservation of units that do not meet the requirements for substantial rehabilitation. Allows the Florida Housing Finance Corporation to distribute Local Government Housing Trust Funds and withhold $ 5 million in funds distributed to provide additional funding to counties and cities in a state of emergency.
Action: SB 482 passed Community Affairs with a committee substitute during week 4, there was no action on this bill during week 5.

SB 788 Transportation Disadvantaged Services (Fasano) revises statute to work toward the coordinated planning of transportation disadvantaged services by all human service agencies. SB 788 strengthens the alternative provider procedure process for purchasing agencies to ensure all agencies follow the exact same process, requires all agencies to identify dollars spent on non-emergency transportation services to transportation disadvantaged clients and requires all agencies to pay the approved transportation rates.
Action: This bill passed out of the Transportation and Economic Development Appropriations committee.

HB 1245 Regional Transportation Authorities (Galvano) and SB 1512 (Geller) provides that 80% of the rental car surcharge revenues collected in a county within specified regional transportation authorities (RTAs) shall be deposited into the accounts of those authorities. Currently the revenues are deposited in the State Transportation Trust Fund (STTF) to fund transportation projects in the district of collection. The bill requires the Department of Revenue (DOR) to provide the RTAs with annual surcharge revenue information by a date certain of each fiscal year. The bill provides that regional transportation authorities created pursuant to chapter 343, F.S., are not included in the definition of "agency" under chapter 120, F.S., and thus not subject to the provisions of the Administrative Procedure Act. Provisions in the bill also relieve the Department of Transportation's (DOT) funding obligations to certain RTAs that receive State Transportation Trust Funding in an amount equal to the local government contribution for intercity or commuter rail service development projects. The bill also relieves Broward, Palm Beach, and Dade counties of their annual $45 million in funding obligations for capital, operating and maintenance expenses of the South Florida Regional Transportation Authority (SFRTA), which is required only when all three counties served by the SFRTA impose a local option funding source. These three counties are also relieved of their annual $1.565 million funding obligation required to fund the operations of the SFRTA.

HB 1245 has a negative recurring fiscal impact on the State Transportation Trust Fund of approximately $95.5 million in fiscal year 2008-09 which increases to $107.5 million in fiscal year 2012-13, based on a 3 percent inflation rate. This results in an estimated $507 million negative revenue impact to the STTF over the five year work program period. Under the bill, DOT will be relieved of funding obligations to SFRTA operations of $87 million over the five year work program for a net negative impact of $420 million to the STTF. This

redirected revenue will be deposited in the accounts of RTAs as a recurring funding source and will result in a net positive fiscal impact of $420 million to RTAs over the five year work program period.
Action: HB 1245 passed the Economic Expansion & Infrastructure Council. SB 1512 was discussed Revenue Estimating Conference on March 21 but has not been scheduled for a committee hearing and is referred to the committees on Transportation, Community Affairs, Governmental Operations, Finance and Tax and Transportation and Economic Development Appropriations.

Growth Management
In the Senate, after an initial workshop on a draft "strike everything" amendment to SB 474 last week, the Senate postponed discussion this week to allow interested parties additional time to work with one another and the bill sponsor, and a new draft is expected out any day. The Community Affairs Committee will be taking the issue up again on the 9th. This bill is in a substantial state of flux.
In the House, a workshop was conducted last week on a draft bill, which, like the Senate bill, also is likely to be changing substantially, and a new draft will be released over this weekend. That new draft is likely to be workshopped on Tuesday, and perhaps voted on towards the end of next week. We are watching the bill develop and will keep up with developments.

It is too soon to tell what provisions may be in either draft, and there is a long way to go before this process concludes. However, there are substantial discussions going on, and it is probable that bills on both sides will attempt to address issues with transportation concurrency requirements and the unintended consequence of those requirements limiting urban growth and redevelopment; addressing transportation impact fees and perhaps instituting a "mobility fee" as a substitute for impact fees; extending the time for buildout of DRIs that have already paid transportation concurrency fees, dedicated right-of-way or donated conservation lands but which due to the economic slowdown have been unable to proceed as quickly with the developments as was previously expected; addressing proportionate-fair-share calculations; addressing school concurrency issues; addressing economic development in Rural Areas of Critical Economic Concern, and additional issues.

ENCR 13 Mining by Mayfield
Summary: As proposed the bill includes three provisions. The first tasked DOT with the preparation of a Strategic Aggregates Resource Assessment (SARA) as recommended by the Strategic Aggregates Review Task Force. The SARA would map current mineral reserves, project the statewide demand and supply and identify infrastructure improvements that would be required to ensure regional delivery of aggregate. Second, the bill would require a new ERP be developed by DEP that would combine mining and reclamation approvals. Last, the bill would preempt the authority of local governments to deny any development order associated with the construction or operation of a mine if DEP has issued its permit.
Action: The House Environment and Natural Resources Council deferred consideration of the bill. However, the Lt. Governor issued a statement supporting the protection of home rule as it pertains to the permitting of mining activities. This should significantly enhance the ability of the team to lobby against the inclusion of pre-emptive provisions in bills in the House and Senate.

SB 747 Charter County Transit System Surtax by Ross

Summary: The bill would allow all charter counties to implement the surtax following a referendum. The bill also changes the designation of the surtax from transit to transportation and authorizes funds to be used for transit.
Action: No action due to the cancellation of the Government Efficiency and Accountability Council meeting. Meeting has not been rescheduled to date.

HB 1173 Land Development Regulation / Agricultural Enclaves by Mayfield
Summary: Prohibits a local government from limiting land uses, densities and intensities of use consistent with uses, densities and intensities of use of the industrial, commercial or residential areas that surround the agricultural enclave to a distance equal to the longest dimension of the enclave.
Action: For the second week in a row the House Council deferred action on the bill. Currently the Council is only scheduled to meet one more time next week. If they fail to adopt the measure the bill would fail unless amended to another vehicle on the floor.
Companion bill SB 2246 by Baker: The Senate Agriculture Committee reconsidered the bill and amended it to make the distance out from the project for purposes of determining what density the project is entitle to consistent with the distance out from the project for purposes of determining concurrency. The bill passed the committee, with Senator Diaz de la Portilla being the only no vote. Staff testified in opposition. The team will continue to work with the Governor's office to secure support for a veto should the legislation move through the process.

HB 1245 Regional Transportation Authorities by Galvano
Summary: Provides that 80 percent of the rental car surcharge revenues collected in a county within specified regional transportation authorities (RTAs) shall be deposited into the accounts of those authorities. The bill provides that regional transportation authorities created pursuant to chapter 343, F.S., are not included in the definition of "agency" under chapter 120, F.S., and thus not subject to the provisions of the Administrative Procedure Act. The bill also relieves Broward, Palm Beach, and Dade counties of their annual $45 million in funding obligations for capital, operating and maintenance expenses of the South Florida Regional Transportation Authority (SFRTA), which is required only when all three counties served by the SFRTA impose a local option funding source. These three counties are also relieved of their annual $1.565 million funding obligation required to fund the operations of the SFRTA.
Action: Passed unanimously by Economic Expansion and Infrastructure Council.

SB 1302 Wastewater Disposal/Ocean Outfalls
Summary: This bill was amended last week with a strike-everything amendment to become the "ocean outfall" bill. The bill would require the South Florida Water Management District (SFWMD) to include in its regional water supply plan water resource and water supply development projects that promote the elimination of ocean outfalls; would add projects that implement reuse that assist elimination of outfalls to the list of water supply development projects eligible for first consideration for funding by the water management districts.
Action: Passed by General Government Appropriations unanimously. Placed on calendar on second reading.

SB 1706 Developments of Regional Impact by Margolis

Summary: Amends Section 380.06(24), F.S. to exempt certain development from review as a DRI if one of at least two proposed land uses within the development is for an office or laboratory appropriate for the research and development of medical technology, biotechnology, or life science applications. The development must also satisfy the following:

- The development must be located within a county having a population greater than 1.5 million.
- The land is located in a designated urban infill area or the local government adopts a resolution recognizing the land is located in a compact, high-intensity, and high density multiuse area.
- The land is located within three-fourths of one mile from one or more bus or light rail transit stops.
- The development is registered with the United States Green Building Council and there is an intent to apply for certification of each building under the Leadership in Energy and Environmental Design program, or the development is registered by an alternate green building rating system that the local government approves by resolution.

Action: Bill passed through Transportation. On the Higher Education Committee agenda for next week**.**

SB 2580 - Relating to West-Central Florida Water Restoration Action Plan by Alexander
Summary: Bill directs the Southwest Florida Water Management District to implement the West-Central Florida Water Restoration Action Plan, which is defined as the District's regional environmental restoration and water resource sustainability program for the Southern Water Use Caution Area.
Action: Passed by Environmental Preservation and Conversation. On the agenda in General Government Appropriations.

SB 2304 Relating to Recreational Marine Industry by Bennett
Summary: creates the Recreational Marine Business Retention Program within Enterprise Florida, Inc., (EFI) and authorizes several inter-related activities to gather information or explore
alternatives to retain, promote, and recruit the marine industry.
The bill:

- Establishes the program's goals.
- Directs EFI to monitor trends in public marine access as well as any gain or loss in marina and boatyard facilities, and in marine-industry jobs, to other states, and to annually submit a report to the Legislature on its findings.
- Directs EFI, in conjunction with the Florida Department of Environmental Protection (DEP), to submit a report to the Legislature by November 1, 2008, on how to expedite the permitting process for marine industry projects.
- Directs EFI to work with the Governor's Office of Tourism, Trade, and Economic Development (OTTED) to designate the recreational marine industry as a "qualified target industry," pursuant to s. 288.106, F.S., and to adjust the wage eligibility requirement in law so that more marine industries would qualify.

SB 2634 Relating to Agricultural Industrial Centers by Dean

Summary: Adds "agricultural industrial center" as a land use category under the Local Government Comprehensive Planning and Land Development Act. Requires local governments to identify existing centers by July 1, 2009, and amend their comprehensive land use plan by July 1, 2010, to establish agricultural industrial center economic overlay planning districts, and provides presumption that limited expansions of such centers are not urban sprawl.
Action: Passed by Agriculture.

SB 2728 Relating to Community Redevelopment/Blighted Areas by Bullard
Summary: The bill includes land previously used as a military facility in the definition of "blighted area" for purposes of the Community Redevelopment Act.
Action: The bill was not considered by Community Affairs. Referred to Military Affairs and Domestic Security, and Transportation and Economic Development Appropriations.

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We will gladly provide you with any additional information or background requested on any issue. Please contact us at your convenience with any questions or comments you may have.

Thank you.
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Agenda Item

6e

Other Emerging Regional Issues

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POTENTIAL IMPACTS OF CLIMATE CHANGE ON US TRANSPORTATION

TRANSPORTATION RESEARCH BOARD

TRB REPORT IN BRIEF

March 2008

Potential Impacts of Climate Change on U.S. Transportation

Transportation professionals should acknowledge the challenges posed by climate change and incorporate current scientific knowledge into the planning, design, construction, operation, and maintenance of transportation systems. Every mode of transportation and every region in the United States will be affected as climate change poses new and often unfamiliar challenges to infrastructure providers. *Special Report 290: Potential Impacts of Climate Change on U.S. Transportation*—the report of a study conducted by a committee of experts under the auspices of the Transportation Research Board and the Division on Earth and Life Studies of the National Research Council—makes the case that focusing on the problem now should help avoid costly future investments and disruptions to operations.

Challenges of Climate Change

Climate change will affect transportation primarily through increases in several types of weather and climate extremes. Climate warming over the next 50 to 100 years will be manifested by increases in very hot days and heat waves, increases in Arctic temperatures, rising sea levels coupled with storm surges and land subsidence, more frequent intense precipitation events, and increases in the intensity of strong hurricanes. The impacts will vary by mode of transportation and region of the country, but they will be widespread and costly in both human and economic terms and will require significant changes in the planning, design, construction, operation, and maintenance of transportation systems.

The past several decades of historical regional climate patterns commonly used by transportation planners to guide their operations and investments may no longer be a reliable guide for future plans. In particular, future climate will include new classes (in terms of magnitude and frequency) of weather and climate extremes, such as record rainfall and record heat waves, not experienced in modern times as human-induced changes are superimposed on the natural variability of the climate.

Decisions transportation professionals take today, particularly those related to the redesign and retrofitting of existing transportation infrastructure or the location and design of new infrastructure, will affect how well the system adapts to climate change far into the future.

Addressing the Impacts of Climate Change on Transportation

Inventory Critical Infrastructure

Potentially, the greatest impact of climate change on North America's transportation system will be flooding of coastal roads, railways, transit systems, and runways because of a global rise in sea level coupled with storm surge and exacerbated in some locations by land subsidence. The vulnerability of transportation infrastructure to climate change, however, will extend well beyond coastal areas. Therefore, federal, state, and local governments, in collaboration with owners and operators of infrastructure such as ports and airports and private railroad and pipeline companies, should inventory critical transportation infrastructure to identify whether, when, and where projected climate changes in particular regions might be consequential.

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The Study's Primary Focus

Many studies have examined the potential impacts of climate change on broad sectors of the economy, such as agriculture and forestry, but few have studied the impacts on transportation. The primary focus of this study is on the consequences of climate change for U.S. transportation infrastructure and operations. The report provides transportation professionals with an overview of the scientific consensus on the current and future climate changes of particular relevance to U.S. transportation, including the limits of present scientific understanding as to their precise timing, magnitude, and geographic location; identifies potential impacts on U.S. transportation and adaptation options; and offers recommendations for both research and actions that can be taken to prepare for climate change. The report also summarizes previous work on strategies for reducing transportation-related emissions of carbon dioxide (CO_2)—the primary greenhouse gas—that contribute to climate change, an area in which more research has been done. The study was funded by the Transportation Research Board, the National Cooperative Highway Research Program, the U.S. Department of Transportation, the Transit Cooperative Research Program, the U.S. Environmental Protection Agency, and the U.S. Army Corps of Engineers.

Incorporate Climate Change into Investment Decisions

Public authorities and officials at various governmental levels and executives of private companies are making short- and long-term investment decisions every day that have implications for how the transportation system will respond to climate change in the near and long terms. Transportation decision makers have an opportunity now to prepare for projected climate changes. State and local governments and private infrastructure providers should incorporate climate change into their long-term capital improvement plans, facility designs, maintenance practices, operations, and emergency response plans. See the box on the next page, which lays out a six-step approach for determining appropriate investment priorities.

Adopt Strategic, Risk-Based Approaches to Decision Making

The significant costs of redesigning and retrofitting transportation infrastructure to adapt to the potential impacts of climate change suggest the need for more strategic, risk-based approaches to investment decisions. Transportation planners and engineers should incorporate more probabilistic investment analyses and design approaches that apply techniques for trading off the costs of making the infrastructure more robust against the economic costs of failure and should communicate these trade-offs to policy makers who make investment decisions and authorize funding. One model is the California Seismic Retrofit Program, which uses a risk-based approach to analyze vulnerability to earthquakes and criticality of highway bridges to determine priorities for retrofitting and replacement.

Improve Communication

Transportation decision makers note that one of the most difficult aspects of addressing climate change is obtaining the relevant information in the form they need to plan and design. Transportation professionals often lack sufficiently detailed information about expected climate changes and their timing to take appropriate action. The National Oceanic and Atmospheric Administration, the U.S. Department of Transportation (USDOT), the U.S. Geological Survey, and other relevant agencies should work together to institute a process for better communication among transportation professionals, climate scientists, and those in other relevant scientific disciplines, and establish a clearinghouse for transportation-relevant climate change information. In addition, better decision support tools are needed to assist transportation decision makers. Ongoing and planned research at federal and state agencies and universities that provides climate data and decision support tools should include the needs of transportation decision makers.

Integrate Evacuation Planning and Emergency Response into Transportation Operations

Projected increases in weather and climate extremes underscore the importance of emergency response plans in vulnerable locations and require that transportation providers work more closely with weather forecasters and emergency planners and assume a greater role in evacuation planning and emergency response. Climate extremes, such as more intense storms and more intense precipitation, will require near-term operational responses from transportation providers and greater attention to emergency response in transportation operations and budgets. Transportation agencies and service providers should build on the experience in locations where transportation is well integrated into emergency response and evacuation plans.

Develop and Implement Monitoring Technologies

Monitoring transportation infrastructure conditions, particularly the impacts of weather and climate extremes, offers an alternative to preventive retrofitting or reconstruction of some facilities in advance of climate change. Greater use of sensors and other "smart" technologies would enable infrastructure providers to receive advance warning of potential failure due to water levels and currents, wave action, winds, and temperatures exceeding what the infrastructure was designed to withstand. Federal and academic research programs should encourage the development and implementation of these technologies.

Decision Framework for Transportation Professionals to Use in Addressing the Impacts of Climate Change on U.S. Transportation Infrastructure

1. Assess how climate changes are likely to affect various regions of the country and modes of transportation.

2. Inventory transportation infrastructure essential to maintaining network performance in light of climate change projections to determine whether, when, and where their impacts could be consequential.

3. Analyze adaptation options to assess the trade-offs between making the infrastructure more robust and the costs involved. Consider monitoring as an option.

4. Determine investment priorities, taking into consideration criticality of the infrastructure components as well as opportunities for multiple benefits (e.g., congestion relief, removal of evacuation route bottlenecks).

5. Develop and implement a program of adaptation strategies for the near and long terms.

6. Periodically assess the effectiveness of adaptation strategies and repeat Steps 1 through 5.

Share Best Practices

As the climate changes, many U.S. locations will experience new climate-induced weather patterns. The geographic extent of the United States—from Alaska to Florida and from Maine to Hawaii—and its diversity of weather and climate conditions can provide a laboratory for best practices and information sharing as the climate changes. Drawing on existing technology transfer mechanisms, relevant transportation professional and research organizations should develop a mechanism to encourage sharing of best practices to address the potential impacts of climate change.

Reevaluate Design Standards

Environmental factors are integral to transportation infrastructure design. However, engineers have not given much thought to whether current design standards are sufficient to accommodate climate change. Climate change projections indicate that today's 100-year precipitation event is likely to occur every 50 years or perhaps even every 20 years by the end of this century. Reevaluating, developing, and regularly updating design standards for transportation infrastructure to address the impacts of climate change will require a broad-based research and testing program and a substantial implementation effort. USDOT should take a leadership role along with professional organizations in the forefront of civil engineering practice across all modes to initiate immediately a federally funded, multiagency research program. The program should focus on the reevaluation of existing design standards and the development of new standards as progress is made in understanding future climate conditions and the options available for addressing them. A research plan and cost proposal should be developed for submission to Congress for authorization and funding. Until new standards are developed, infrastructure rehabilitation projects in highly vulnerable locations should be rebuilt to higher standards.

The development of appropriate design standards to accommodate climate change is only one of several possible adaptation strategies that may require federal leadership, research, and funding. Federal agencies have not focused generally on adaptation in addressing climate change. Better collaboration could help focus attention on these issues and shape existing research programs. USDOT should take the lead in developing an interagency working group focused on adaptation.

Include Climate Change in Transportation and Land Use Planning

One of the most effective strategies for reducing the risks of climate change is to avoid placing people and infrastructure in vulnerable locations. Transportation planners are not currently required to consider climate change and its effects on infrastructure investments. Land use decisions are made primarily by local governments, which have too limited a perspective to account for the broadly shared risks of climate change. Integration between transportation and land use planning is uncommon. Federal planning regulations should require that climate change be included as a factor in the development of public-sector, long-range transportation plans; eliminate any perception that such plans be limited to 20 to 30 years; and require collaboration in plan development with agencies responsible for land use, environmental protection, and natural resource management to foster more integrated transportation–land use decision making.

Evaluate the National Flood Insurance Program and Flood Insurance Rate Maps

The federal government is the insurer of last resort for homeowners in specially designated flood hazard areas. The National Flood Insurance Program, administered by the Federal Emergency Management Agency (FEMA), and the flood insurance rate maps (FIRMs) that determine program eligibility do not take climate change into account. FEMA should reevaluate the risk reduction

effectiveness of the National Flood Insurance Program and the FIRMs, particularly because climate change may trigger more intense storms and sea level rise will extend the scope of flood damage in some special flood hazard areas. At a minimum, updated FIRMs that account for sea level rise (incorporating land subsidence) should be a priority in coastal areas.

Develop New Organizational Arrangements

The impacts of climate change do not follow modal, corporate, or jurisdictional boundaries, yet decision making in the transportation sector is based on these boundaries. Current institutional arrangements for transportation planning and operations were not organized to address climate change and may not be adequate for the purpose. Some models of cross-jurisdictional cooperation exist. Among them are regional authorities for specific facilities (e.g., the Alameda Corridor); regional and multistate emergency response agreements; and state-mandated regional authorities, such as those responsible for air quality improvement. Similar arrangements could emerge to address the effects of sea level rise on coastal real estate and infrastructure, drought on shipping along inland waterways, and hurricanes in the Gulf Coast region. However, state or federal incentives may be required to ensure the development of such organizational arrangements at the regional or multistate level.

Actions to prepare for climate change can be taken almost immediately. Some steps can be undertaken by local governments and private infrastructure providers. Others depend on federal and state action. In all cases, leadership and continuing commitment are essential.

Committee on Climate Change and U.S. Transportation: Henry G. Schwartz, Jr. (NAE), *Chair,* Sverdrup/Jacobs Civil, Inc. (retired), St. Louis, Missouri; **Alan C. Clark,** Houston–Galveston Area Council, Texas; **G. Edward Dickey,** Loyola College, Baltimore, Maryland; **George C. Eads,** CRA International, Washington, D.C., **Robert E. Gallamore,** Gallamore Group, Rehoboth Beach, Delaware; **Genevieve Giuliano,** University of Southern California, Los Angeles; **Willliam J. Gutowski, Jr.,** Iowa State University, Ames; **Randell H. Iwasaki,** California Department of Transportation, Sacramento; **Klaus H. Jacob,** Columbia University, Palisades, New York; **Thomas R. Karl,** National Oceanic and Atmospheric Administration, Asheville, North Carolina; **Robert J. Lempert,** RAND Corporation, Santa Monica, California; **Luisa M. Paiewonsky,** Massachusetts Highway Department, Boston; **S. George H. Philander** (NAS), Princeton University, Princeton, New Jersey (through December 2006); **Christopher R. Zeppie,** Port Authority of New York and New Jersey, New York City.

This report was prepared by the National Research Council on the basis of the committee's report. Permission granted to reproduce this brief in its entirety with no additions or alterations. *Potential Impacts of Climate Change on U.S. Transportation* is available from the Transportation Research Board, 500 Fifth Street, NW, Washington, DC 20001 (telephone 202-334-3213; fax 202-334-2519; or e-mail TRBsales@nas.edu).

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RURAL DEVELOPMENT LEFT BEHIND IN NEW FARM BILL FRAMEWORK

Rural Development Left Behind in New Farm Bill Framework

Matthew D. Chase, Executive Director
National Association of Development Organizations
March 30, 2008

The latest budget framework released on March 25 for the 2008 Farm Bill provides zero new resources for community and economic development in rural America. Out of the more than 10 titles of the Farm Bill, Rural Development is the most prominent issue area provided a big, fat goose egg. As the only federal agency focused exclusively on building the community assets of rural America, the mission area of USDA Rural Development is far too important to leave off the priority list, let alone totally abandon.

This is an ominous strategic mistake by federal policy makers, in terms of our nation's future overall economic competitiveness, our ability to pursue energy independence and our farmer's capacity to continue producing the most efficient and safe food resources in the world. This decision is happening at the worst possible time, as the United States is now falling further behind our global competitors in investing in the fundamental building blocks for sustainable economic growth and competitiveness – community and physical infrastructure.

Our global competitors have learned from the successes of our great leaders, from President Jefferson to President Lincoln to President Eisenhower. A nation must invest in its public infrastructure, whether broadband, water and sewer, health care centers, workforce training facilities or transportation, if it is to efficiently and effectively participate in national and global trade. Access to markets is critical, both for our agricultural community as well as other sectors of the rural economy such as tourism, health care, energy production, manufacturing and service industries.

The fastest growing nations around the world understand this basic fact. As reported by *The Economist* in February 2008, China has spent more on its roads, railways and other fixed assets between 2001 and 2005 than it spent in the previous 50 years. Since the 1990s, China has built an interstate expressway that is second only to our interstate system. Unfortunately for us, their work isn't complete as they remain focused on linking communities with high-speed rail, 97 new airports and more than 300,000 kilometers of new roads. These investments are not just taking place in urban areas, but instead much of the emphasis is on connecting its vast rural landscape and workforce to trade centers and markets around the world.

Other emerging markets, such as India, parts of Europe and many sub-Saharan Africa nations, are also spending an increasing portion of their Gross National Product (GDP) (anywhere from four to eight percent vs slightly above 2 percent for U.S.) on infrastructure upgrades and improvements. Sure, they may have far more pressing unmet needs than we have. However, these nations are making strategic investments aimed at connecting nearly 70 percent of the world's workforce to the rest of the globe. The competitive challenges facing our farmers, let alone the rest of America's industries, are just beginning.

USDA Rural Development could play an even more critical role in helping the United States with its national defense and economic security – especially with energy independence and food safety. Rural development is often viewed through the lens of improving the quality of life in rural communities and providing basic services for rural communities that are often taken for granted in suburban and metropolitan areas.

Rural Development Left Behind in New Farm Bill Framework

Matthew Chase, Executive Director of the National Association of Development Organizations / March 30, 2008

As the United States pursues an agenda aimed at making us more energy independent, more environmentally friendly with respect to global climate change and more competitive in the rapidly shifting world marketplace, we must invest much more heavily in rural America. Whether building a wind farm in the plains of Southwest Minnesota, testing cellulosic ethanol fuels in Illinois or pursue a creative economy in North Carolina, all of these initiatives require significant community know-how and public investments. Private industry will bring operational and market capital to rural America, but we must first ensure our smaller metropolitan and rural areas have the public services needed to bolster these private initiatives.

Unfortunately, the current portfolio of USDA Rural Development programs is grossly underfunded. The mission area has a project backlog exceeding $2 billion today, and even worse, much of this log jam is for the honor of tapping into USDA's loan and loan guarantee programs, not even for the agency's much prized and dwindling grant resources. Urban America wouldn't stand for this treatment, neither should rural America.

When examining the Consolidated Federal Funds Report for 2001, according to the Rural Policy Research Institute (RUPRI), a devastating structural disadvantage surfaces for rural America. It shows that a disproportionate rate of federal funds in rural America, nearly 64 percent, is in the form of transfer payments to individuals. By comparison, the rate for metropolitan areas is only 50.5 percent.

At first glance, this may seem like a positive trend for rural citizens. Heck, we're earning a greater return on our federal tax dollars. Unfortunately, it means that rural Americans are far more dependent on the federal government for our day-to-day survival, from Medicaid and Medicare assistance to monthly Social Security checks to farmer subsidies.

By contrast, our metropolitan communities are using a greater percentage of their federal assistance to invest in their economic future – roadways and intermodal gateways, water and sewer treatment plants, job-skills training centers, business incubators, and post-secondary education research labs.

Programs such as food stamps, nutrition assistance and commodity subsidies are important, and often vital, for the immediate survival of many rural citizens and farmers. However, they are more of a short-term fix compared to the long-range benefits of rural development assistance programs. Our primary focus, as a nation, should be on entrepreneurial development, value-added production and innovation (both agriculture and non-ag related), and sustainable economic and energy development that is environmentally friendly, beneficial to the national and economic security of our country and tied to regional and local priorities and assets.

This is one of the primary reasons that Senate Ag Chairman Tom Harkin (D-IA), who remains a prominent champion of conservation and nutrition assistance, is trying to strike a better balance between the immediate social and human service needs of all Americans with the sustainable economic competitiveness of rural communities and business interests. Chairman Harkin's Regional Collaborative Investment Program (RCIP) attempts to implement the research findings and policy recommendations of nearly every major policy think tank in the world and here at home – from the Organisation for Economic Co-operation and Development (OECD), Brookings Institution, Council on Competitiveness and RUPRI Center for Regional Competitiveness.

Our federal policies must reward regional collaborations of public, private and nonprofit leaders and groups. We must invest in regionally-based economic development strategies that build on local assets and strengths, instead of continuing to focus on local weaknesses. We must help our rural regions achieve the economies of scale needed to contend on the word stage. In addition, we must start to reinvest in regional comprehensive strategies that are locally-controlled and driven, while also making the investments needed to implement regional and local project priorities. Unfortunately, even at only $135 million out of a five-year, $82 billion Farm Bill package, it appears that RCIP may be left on the cutting-room floor.

Finally, our agricultural sector needs more investments in our rural community infrastructure to remain competitive, both from a quality of life perspective as well as the production, transport and safety of agricultural food and energy crops. Rural Development in the Farm Bill context shouldn't be viewed as a competitor, but as a complementary component. The agricultural sector is a primary beneficiary of just about every investment made by USDA Rural Development, whether related to improved water and water treatment facilities, improved housing options for workers, more affordable access to business financing, assistance for value-added production marketing or cheaper and reliable services from rural electric and telephone cooperatives.

With the proper strategic focus and streamlining of programs, USDA Rural Development could be re-engineered to directly support economic development initiatives, as well as help address the basic building blocks that are not just needed, but mandated by today's knowledge workers, entrepreneurs and creative economies. Today, our rural regions must have a host of ingredients to compete, let alone thrive: health care facilities, cultural and arts activities, community centers and educational venues, natural amenities, and reliable and affordable access to broadband, electricity, aviation and waterway ports, and housing.

The agricultural sector is no different in these regards. For example, today's farmer must have access to high-speed broadband as much as a financial trader on Wall Street or a legislative aide on Capitol Hill. They must have timely and on-going information about commodity trading markets around the globe, daily rates for fuel and materials, weather and crop conditions, and transportation logistics for moving goods to markets. The same could be said for other USDA Rural Development investments in regional and local water systems, affordable housing developments, business lending programs and community facility improvements. They all have an incredible multiplier effect and sound return on investment once the initial outlay is made.

There is still time for administration officials and congressional leaders to correct this strategic blunder. The final days of the 2008 Farm Bill conference negotiations offer an ideal time for our nation's policy makers to build on the legacies and visions of our greatest Presidents. It will take a steadfast commitment to the long-term interests of rural America, and our nation as whole, rather than just the most expedient path of least political resistance.

Putting money into USDA Rural Development is an investment that will pay dividends for the nation and rural America again and again over time, not just a one-time quick fix.

Matthew D. Chase is the Executive Director of the National Association of Development Organizations (NADO), a national membership association located in Washington, DC serving the national network of 520 regional development organizations across the nation. NADO is a founding member of the Campaign for a Renewed Rural Development (ruralcampaign.org). Visit NADO.org for more information about the association.

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9:00 a.m. – 6:00 p.m.
Southwest Florida Regional Planning Council
Conference Center
1926 Victoria Avenue
Fort Myers, FL 33901

Course Sponsors:
Southwest Florida Local Emergency Planning Committee
Southwest Florida Regional Planning Council
Florida Department of Environmental Protection

Program Description:
The goal of the course is to aid government inspectors in identifying hazardous materials problems at public and private utilities. The course objective is to promote safe practices to alleviate chemical incidents at waste/water and water treatment facilities. Moreover, inspectors will receive training in chemical properties, hazards recognition, job safety analysis, chemical compatibilities, chemical storage and compliance.

Program Cost:
This program is provided free of charge by the Southwest Florida Regional Planning Council and Florida District IX Local Emergency Planning Committee.

Who Should Attend:
Government inspectors of public and private utilities using hazardous and Extremely Hazardous Substances.

Name of person(s) attending:
_____
_____
_____
Organization: _____
Phone: _____

CALL, FAX OR MAIL TO:
John Gibbons
District IX LEPC, 1926 Victoria Avenue
Fort Myers, Florida 33901
Fax (239) 338-2560 Phone (239) 338-2550

The USF Center for Biological Defense

Presents:

8-Hour Bioreadiness Training

Thursday, May 29, 2008 - 8:00 am-5:00 pm

Cosponsored by:

Southwest Florida Regional Planning Council

Time	*Topic*
8:00-8:15	Course Registration
8:15-12:00	Biological Agent Sample Collection, Bloodborne Pathogens & Emerging Infectious Diseases
12:00-1:00	Lunch on your own
1:00-2:30	Recognizing the Threat of Bioterrorism
2:30-2:45	BREAK
2:45-3:30	Communicating with the Media During a Disaster
3:30-4:45	Protecting Your Building from a Biological Attack
4:45-5:00	Q&A and Evaluations

Description

The program begins with the Biological Agent Sample Collection, Bloodborne Pathogens and Emerging Infectious Diseases Training. The morning session will provide an overview of biological and chemical terrorism, threat assessment and sample collection techniques according to state DOH laboratory procedures. The training is not intended to interfere with or replace current standard operating procedures within response agencies. In addition, training will include a review of bloodborne pathogens and emerging infections.

Recognizing the Threat of Bioterrorism provides an overview of bioterrorism, sources of bioterrorism and delivery/response systems. Terrorism comes in many forms. Bioterrorism is the application of biologic agents or their toxins as a weapon against people, animals or crops. Individuals need to recognize the threat of bioterrorism, including the possible sources, agents and delivery method.

Communicating with the Media is an interactive session. This module gives those involved in a crisis the tools necessary to effectively communicate with the media and the public. Participants in this interactive session will have the opportunity to practice communication skills and critique several scenarios.

The program concludes with a session on Protecting Your Building from a Biological Attack. While it is unlikely that your building will be attacked, it is important to instill common sense strategies for protection. For example, how vulnerable is your building? What are the specific recommendations for protecting your building from a bioterrorism attack? These issues and more are addressed in this timely and informative lecture.

Location: **Southwest FL Regional Planning Council, 1926 Victoria Avenue, Ft. Myers, FL 33901**

Pre-Registration is required! There is NO COST to attend this program.

Registration Information

Name:_____**Company:**_____**Title:**_____

Address:_____**City:** _____ **State:**_____ **Zip:**_____

Phone:_____ **Fax:**_____ **e-mail:**_____

To return this sheet or for further information, please contact:

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Accommodations for Disabilities: Please notify the Center for Biological Defense a minimum of ten working days in advance of the event if a reasonable accommodation for a disability is needed. Events, activities, and facilities of the University of South Florida are available without regard to race, color, sex, national origin, disability, age, or Vietnam veteran status as provided by law and in accordance with the University's respect for personal dignity. The Center for Biological Defense at the University of South Florida reserves the right to cancel this activity for any reason whatsoever.