





**Interoffice Memorandum**

December 13, 2023

**TO:** Mayor Jerry L. Demings  
-AND-  
County Commissioners

**FROM:** Andres Salcedo, P.E., Acting Director   
Planning, Environmental, and Development Services Department

**CONTACT PERSON:** Renée H. Parker, LEP, Manager   
**Environmental Protection Division**  
**(407) 836-1420**

**SUBJECT:** January 23, 2024 – Consent Item  
Update of Permit Fee Schedule and Increase of Staffing for  
Implementation of Changes to Chapter 15 – Article X, Wetland and  
Surface Water Protection

Over the last two years, the Environmental Protection Division (EPD) has conducted a detailed analysis of permit application review standards and processes related to wetland and surface water impacts, found in Chapter 15, Article X, Wetland Conservation Areas.

As staff identified deficiencies and worked to develop new standards in Chapter 15, Article X, it became clear that the proposed changes were likely to increase workload and costs for both applicants and County staff for certain permit types. As part of the County's due diligence, a term contractor was engaged to review existing fees and staffing resources related to wetland permit applications, plan reviews, and inspections, and provide recommendations on changes needed to implement the new ordinance. Analysis of data has shown that over the past 10 years of using the current ordinance fee schedule, revenue and staffing levels have fallen behind the actual costs and ability to process permit applications in an efficient and timely manner.

Working closely with staff, the term contractor developed application review and inspection fees based on the new tiered wetland permitting system, along with modifying any existing fees that still applied to the updated Chapter 15, Article X, providing for an increase in cost per hour to reflect cost recovery of services. Additionally, a minor adjustment is proposed for the application fee refund policy based on costs incurred. The methodology was based on standards approved by the County's Office of Management and Budget.

Using a baseline of wetland-related permits, plan reviews, and inspections over the last five years, along with other variables relating to serving our customers, the term contractor worked with staff to develop conservative estimates for workload increases. It was determined that three additional staff positions will be necessary to manage the anticipated increase in review complexity and additional inspections. The EPD Environmental Permitting and Compliance (EP&C) Program is responsible for reviewing natural resource permits and plans and conducting the necessary inspections. The EP&C Program is comprised of three Senior

Environmental Specialist (Job Code 5461) positions that provide wetland-related permits and plan reviews and inspections. Based on future estimates of workload, additional staff needed to successfully implement the new ordinance will include two Senior Environmental Specialist (Job Code 5461) positions and a new Environmental Program Supervisor (Job Code 5466) to oversee the new five-person team. The projected revenue from the proposed fee adjustments will be sufficient to recover labor costs.

On December 12, 2023, an adoption hearing was held to amend Chapter 15, Article X wherein staff presented the proposed code changes, along with an assessment of current and proposed workload, fees, and staffing levels, noting that a request to increase staffing and adjust the fees would be brought back in January 2024 as a Consent Agenda item. The revised ordinance was adopted by the Board on December 12, 2023, with an effective date of June 1, 2024.

The positions are being requested at this time to recruit and onboard qualified individuals in preparation of the effective date. Funding for these positions from the date of hire through the end of FY 2023-24 will be provided by reallocating funds within the Division's approved budget. The positions will be funded in the regular budget cycle going forward beginning in FY 2024-25.

The specific revised and new fees for the Wetland and Surface Water Protection Ordinance, Chapter 15, Article X, Orange County Code, are listed in the attached Resolution as Attachment "A". Fee types identified in the Resolution relate to Wetland Determination applications, associated permit types, variances, appeals, permit extensions, transfers or modifications.

**ACTIONS REQUESTED:**    **Approval of three new positions within the Environmental Protection Division to support the recently-adopted Chapter 15, Article X, Wetland and Surface Water Protection Ordinance**

**and**

**Approval and execution of Resolution of the Orange County Board of County Commissioners regarding the Orange County Fee Directory as to certain fees charged for a Wetland Determination Application and associated Permit types and a Variance or Appeal and creating new certain fees for a Wetland Permit extension, Transfer or Modification; and Providing for an Effective Date. All Districts.**

RHP/AS:jk

Attachments