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# **Agriculture & Natural Resources Subcommittee**

**Tuesday, January 15, 2013  
2:00 PM - 4:00 PM  
Reed Hall**

**Will Weatherford  
Speaker**

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

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Agriculture & Natural Resources Subcommittee

**Start Date and Time:** Tuesday, January 15, 2013 02:00 pm

**End Date and Time:** Tuesday, January 15, 2013 04:00 pm

**Location:** Reed Hall (102 HOB)

**Duration:** 2.00 hrs

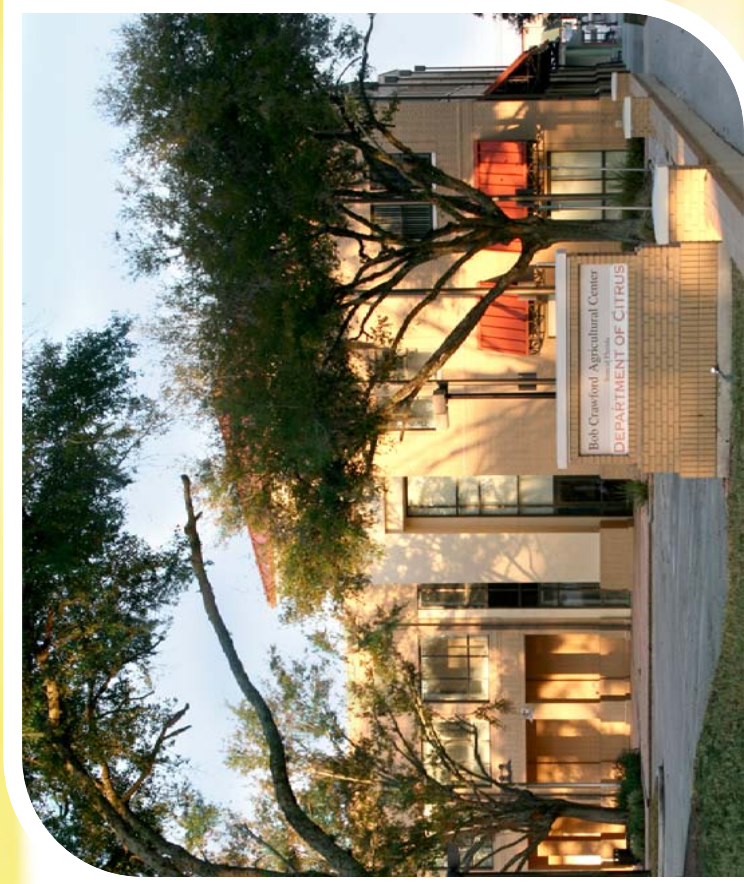
Agency Overview and Discussion of Possible Legislative Issues:

Presentation by the Department of Citrus

Presentation by the Department of Environmental Protection

**NOTICE FINALIZED on 01/08/2013 16:17 by Sims-Davis.Linda**





# Florida Department of Citrus

Doug Ackerman  
Executive Director

Presented to  
Florida House of Representatives  
Agriculture and Natural Resources Subcommittee  
January 15, 2013

# Agenda

- The Florida Department of Citrus
- Strategic Platform
- Bringing the Message to Life

# The Florida Citrus Industry

- Over \$9 billion industry
- 76,000+ employed
- 8,000 growers
- Oranges: primarily processed and domestic
- Grapefruit: fresh and processed, domestic and export
- Specialty: tangerines, tangelos, temples

# Florida Citrus Commission Florida Department of Citrus

 Created in 1935

 Responsible for:  
 Regulation

 Research

 Generic Marketing





# Florida Citrus Commission

## Florida Department of Citrus

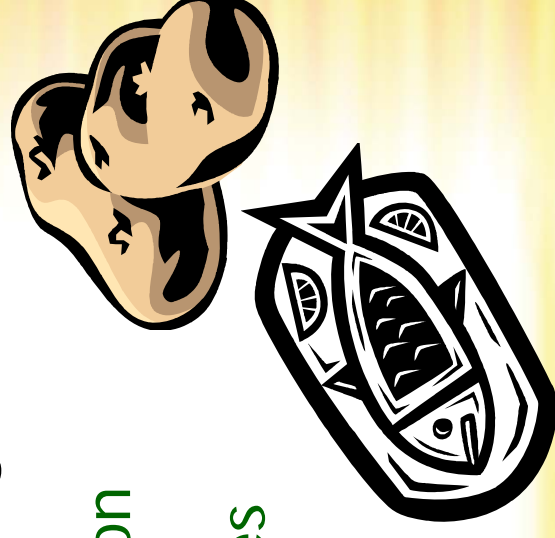
- First organization in USA established to insure quality and promote a food commodity
- Model for subsequent marketing orders



➤ Idaho Potato Commission

➤ Washington State Apples

➤ Alaskan Seafood  
Marketing Institute





# Florida Citrus Commission

- Florida Statute, Chapter 601
  - “Nine practical citrus persons who are resident citizens of the State, each of whom is actively engaged in growing and/or processing.”  
601.04 (1)(a) F.S.
  - “Appointed by the Governor, confirmed by the Senate.” 601.04 (2)(a) F.S.
- Representation among the three main regions including growers and processors

# 2012-13 Florida Citrus Commission



**Mike Garavaglia**  
Vice Chairman  
Grower-shipper



**Marty McKenna**  
Chairman  
Grower



**Jay Clark**  
Domestic Marketing Chair



**Virginia Pena**  
Grower



**Mike Haycock**  
Admin Chair  
Grower-Processor



**Mike Taylor**  
EMRD Chair  
Grower



**James Horrisberger**  
Grower-Processor



**Ellis Hunt**  
Legislative Chair  
Grower



**Vernon Hollingsworth**  
SRD Chair  
Grower

# Funding

- **Financed by assessment on each box of citrus\***
- **Two to four percent of the orange grower's annual return**



\* Similar structure as other State and Federal Marketing and Research Orders

## Tax Rates

- No Change from 2011-12
  - Processed Orange \$ .23
  - Processed Grapefruit \$ .34
  - Fresh Orange \$ .05
  - Fresh Grapefruit \$ .34
  - Fresh Specialty \$ .14

# Planning and Budgeting

- Budget year
  - July 1 – June 30
  - \$56mm total, \$42mm OJ total, \$25mm USA OJ marketing
  - Rates ~ 2% to 4% of on-tree returns
- Process
  - Planning begins in February/March
    - Formal process with joint meeting of staff and agencies
    - Marketing plans and budgets developed
  - Preliminary budget presented to FCC in May
    - May – June present to industry organizations for feedback
  - Preliminary budget vote in June
  - Actual tax rates and “final” budget set in October after first forecast
  - Crop utilization determines allocation by variety/product



## New FDOC Mission Statement

Maximize consumer demand for Florida citrus products to ensure the sustainability and economic well-being of the Florida citrus grower, the citrus industry and the State of Florida.

# Key Strategic Initiatives

- Key Strategic Initiatives: provide a framework of action items that will be used by the FDOC to deliver on our mission.
  - Focused
  - High-impact
  - Simple
  - Measurable
  - Prioritized



## Revised KSI's

1. Improve relevance of Florida Citrus.
  - Increase relevance and consumer loyalty for Florida citrus.
  - Increase in the perceived level of price/value relationship
2. Demonstrate value of the FDOC.
  - Increase grower awareness of FDOC value-added proposition.
  - Increase level of stakeholder satisfaction.

## Revised KSI's

3. Enhance Organizational Resources
  - Develop a needs-based plan for optimizing human resources.
  - Develop a needs-based plan for optimizing infrastructure.

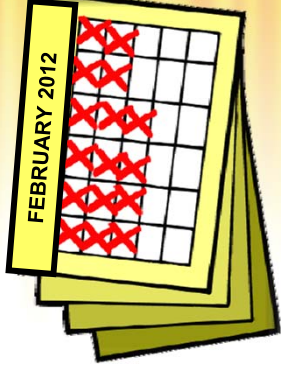
# Domestic Marketing

## Mission:

Grow demand for Florida citrus



**Objective:**  
Get consumers  
to drink/eat  
Florida citrus  
every day



## Strategy:

Deliver messages in  
integrated communications  
plan: advertising, public  
relations, retail,  
away from home



## Target Audiences:

- OJ** – Adults 18-49,  
Families w/1+ children
- Influencers, Media
- Key US retailers
- Family dining & QSRs
- School children – Grade 2
- Parents, Educators

## Measurements:

Nielsen, Issues & Answers, Optimization reports, PEM



# Challenges

- Changes in the consumer environment
- Decreased production
- Increased competitive pressures
- Increased economic pressures

# An Evolving Consumer Environment

- Consumers are resetting their values
  - They are rightsizing their consumption and taking more control of their lives
- They continue to redefine their morning ritual
- They consume media differently than they used to
  - The impact of social media is profound
  - Convergence and blurring of media puts the consumer in control
- Our best customers are aging requiring the need for new loyalists
- Confusing and inaccurate media stories



# Forecasted Production

**FLORIDA DEPARTMENT OF CITRUS**  
U.S.D.A. CITRUS ESTIMATE JANUARY 11, 2013 WITH COMPARISONS  
 (1,000's Boxes)

\* Note: Temples Included In Early & Mids  
 Estimated for 2012-13

REPORT 12/13-4

ORANGES	2010-11	2011-12	OCTOBER	DECEMBER	JANUARY	CHANGE
U.S. All	203,749	203,919	214,916	206,916	203,005	-3,910
Florida, All	140,300	146,300	154,000	146,000	142,000	-4,000
Early & Mids	70,300	74,200	74,000	67,000	66,000	-1,000
Valencias	70,000	72,300	80,000	79,000	76,000	-3,000
<b>GRAPEFRUIT</b>						0
*U.S. All	30,150	27,000	29,380	27,280	27,280	0
Florida, All (utilized)	19,750	18,800	20,300	18,000	18,000	0
Seedless:						0
Colored	13,900	13,900	14,500	13,000	13,000	0
White	5,850	5,300	5,800	5,000	5,000	0
<b>TANGELOS</b>						0
Florida, All	1,150	1,150	1,200	1,100	1,100	0
<b>TANGERINES</b>						0
Florida, All	4,650	4,300	4,400	3,800	3,800	0
Early (& Dancy)	2,600	2,350	2,400	2,000	2,000	0
Honey	2,050	1,950	2,000	1,800	1,800	0
<b>*TOTAL FL CITRUS</b>	<b>163,850</b>	<b>170,720</b>	<b>179,900</b>	<b>168,900</b>	<b>164,900</b>	<b>-4,000</b>

# Household Penetration Has Dropped

Year	% HH Penetration of OJ
2001	81.09
2002	80.35
2003	79.68
2004	78.23
2005	76.64
2006	75.31
2007	70.82
2008	69.57
2009	70.16
2010	68.6

12.49 pt drop

Source: FDOC's Nielsen Annual Homescan reports.

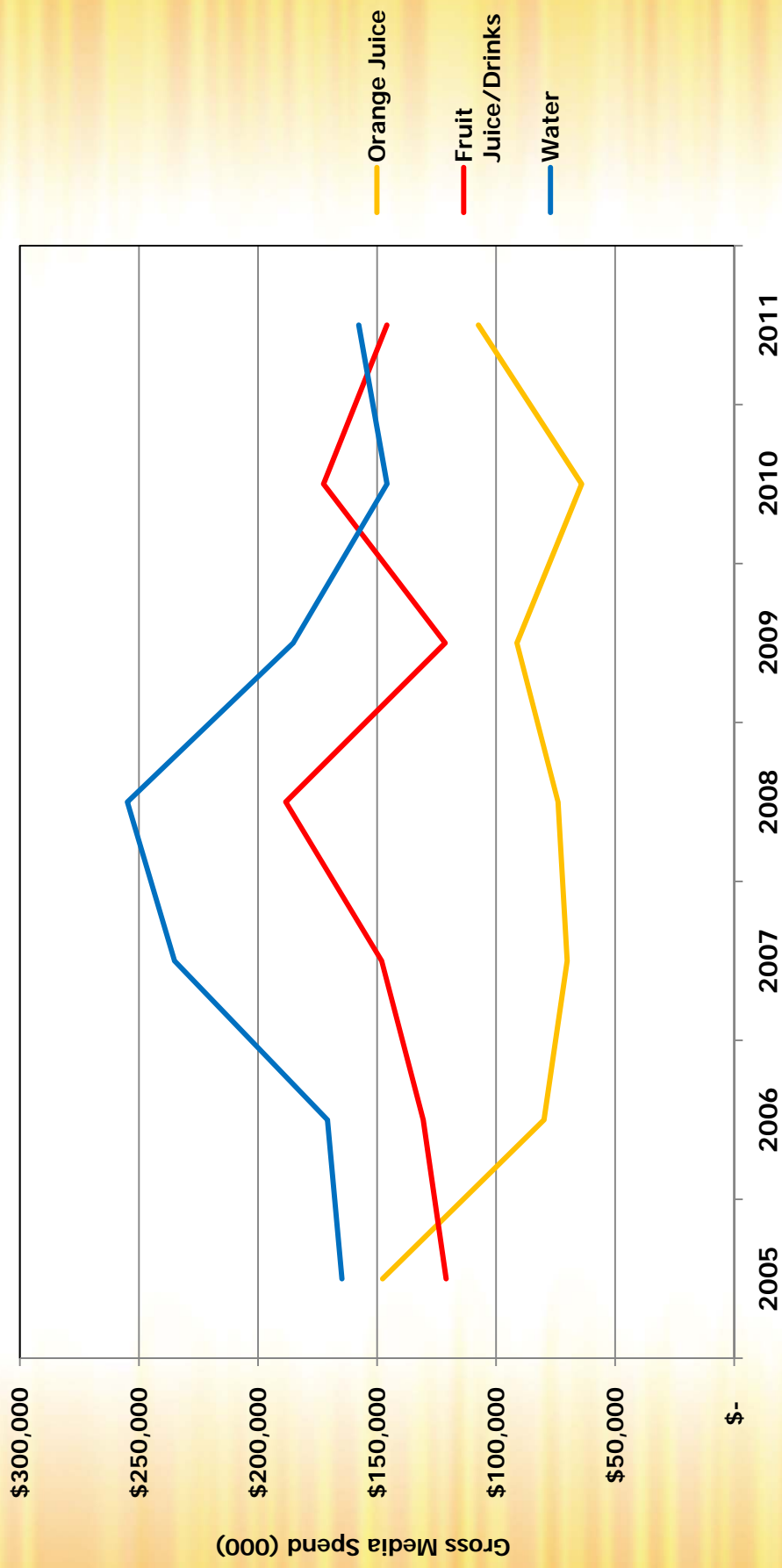


# Growing Number Of New Fruit-based Beverages

Year	# of New Product Intros
2006	16
2007	119
2008	145
2009	123
2010	170
2011	102
<b><u>Total</u></b>	<b><u>675</u></b>

Source: Datamonitor. Fruit drinks, nectars or pure fruit.

# OJ is consistently outspent as a category



\*Source: Nielsen Adviews (note: "water" includes bottled and vitamin)

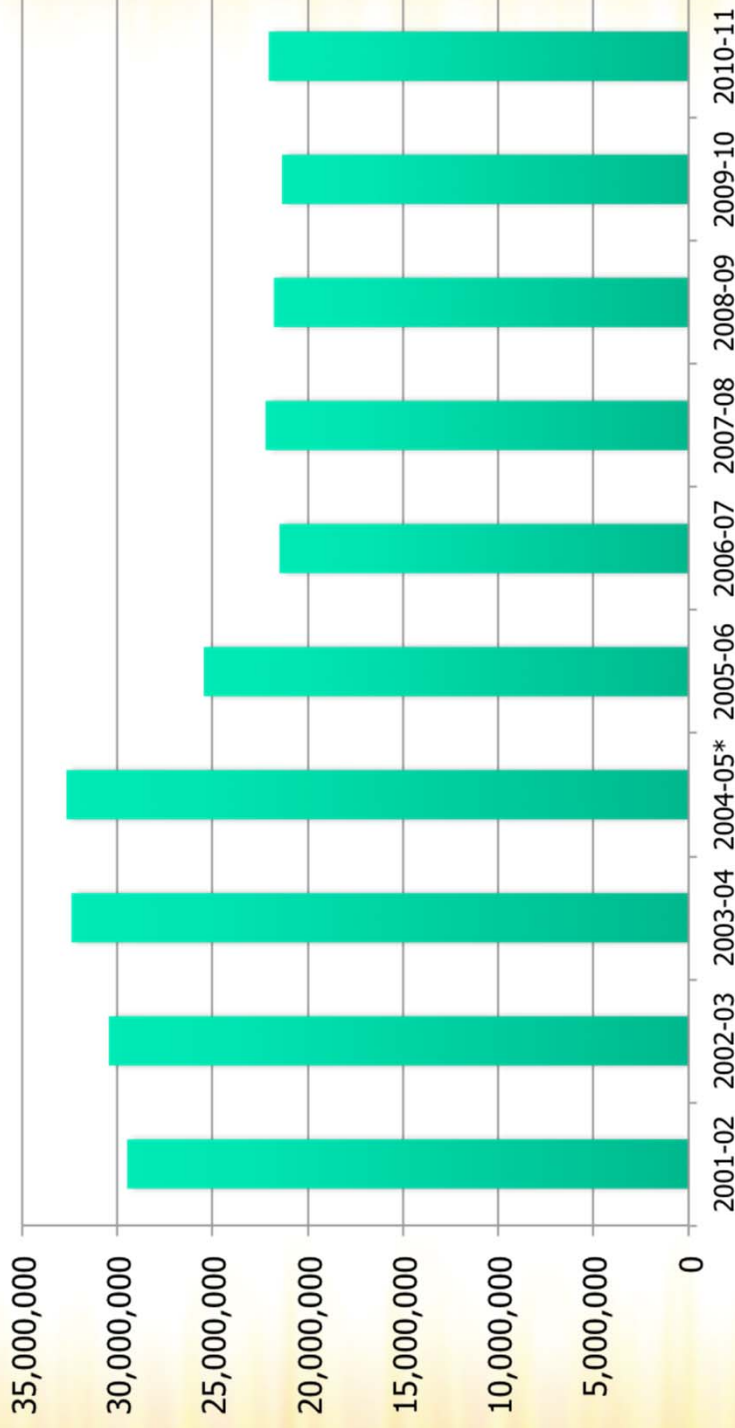
# Share of Voice/Share of Market

	2000				2005				2010				2011			
	Revenue	SOM	Media Spend	SOV	Revenue	SOM	Media Spend	SOV	Revenue	SOM	Media Spend	SOV	Revenue	SOM	Media Spend	SOV
FRUIT DRINK/REM. FRUIT JUICE	\$5,124,488	58%	\$103,168	48%	\$5,315,695	59%	\$278,349	69%	\$6,060,901	63%	\$227,840	75%	\$7,334,527	69%	\$285,683	72%
ORANGE JUICE	\$3,110,799	35%	\$111,059	52%	\$2,698,660	30%	\$99,419	25%	\$2,445,227	26%	\$48,796	16%	\$2,517,149	24%	\$92,087	23%
APPLE JUICE	\$551,494	6%	\$966	0%	\$612,676	7%	\$1,747	0%	\$733,102	8%	\$5,979	2%	\$597,530	6%	\$3,328	1%
GRAPE JUICE	\$0	0%	\$0	0%	\$364,737	4%	\$22,953	6%	\$336,728	4%	\$20,635	7%	\$233,118	2%	\$17,760	4%
<b>TOTAL</b>	<b>\$8,786,781</b>		<b>\$215,194</b>		<b>\$8,991,769</b>		<b>\$402,468</b>		<b>\$9,575,957</b>		<b>\$303,250</b>		<b>\$10,682,324</b>		<b>\$398,859</b>	

Source: Media Spend by PhD; Revenue from Nielsen Multi-Outlet Reports for \$2mm Grocery

# Decline in FDOC Spending

- Other priorities such as disease research have required the Commission to make tough choices that impact marketing.



# Prices at all-time highs consumer confidence curtailed

UNITED STATES CONSUMER CONFIDENCE



SOURCE: WWW.TRADINGECONOMICS.COM | CONFERENCE BOARD

# Media Dollars YOY Comparison

	FY 2012/2013	FY 2011/12
<b>Budget</b>	\$12.76MM	\$13.60MM
<b>TV TRPS</b>	1188	1470
<b>TV Weeks</b>	15	20
<b>% Reach</b>	75	77
<b>Frequency</b>	15.8x	19.1x
<b>TV Impressions</b>	1,595,498,000	1,907,115,000
<b>Digital Impressions</b>	257,100,000	161,321,500
<b>Total Impressions</b>	<b>1,852,598,000</b>	<b>2,068,436,500</b>

\*R/F deliveries do not include Digital



# Questions?







# Florida Department of Environmental Protection



## DEP OVERVIEW 2013

### House Agriculture & Natural Resources Subcommittee

Representative Caldwell, Chair

*January, 15 2013*

Pierce Schuessler, Director, Legislative Affairs

Al Dougherty, Deputy Secretary, Land & Recreation

Greg Munson, Deputy Secretary, Water Policy & Ecosystem Restoration

Jeff Littlejohn, Deputy Secretary, Regulatory Programs





# Land & Recreation

- Division of State Lands
- Office of Cabinet Affairs
- Division of Recreation and Parks





# Division of State Lands

## Mission:

To acquire, conserve and manage critical lands within the state.

## Responsibilities:

- Staff to the Board of Trustees (BOT) of the Internal Improvement Trust Fund (Governor and Cabinet) and the Acquisition and Restoration Council (ARC).
- Acquires, administers and disposes of BOT-owned lands;
- Administers upland and submerged land leases.
- Provides administration and oversight of land management.
- Maintains an inventory of all public lands.
- Maintains and preserves all records for lands granted to and owned by the State of Florida.



# Office of Cabinet Affairs

- Serves as DEP's clearinghouse for all issues that come before the Governor and Cabinet when sitting as the Board of the Trustees of the Internal Improvement Trust Fund (BOT) or as the Siting Board.
- Cabinet Affairs staff coordinates the preparation of agenda items for the BOT with DEP divisions, district offices and water management districts.
- Provides support to the Secretary at Cabinet meetings.
- Serves as DEP's liaison with the Governor's Cabinet Affairs Office and the Cabinet member's offices.



# Division of Recreation and Parks

## Mission:

To provide resource-based recreation while preserving, interpreting and restoring natural and cultural resources.

## Florida Park Service:

- Manages 171 properties with 161 state parks and 10 state trails (totaling nearly 800,000 acres).
- Welcomed nearly 25 million visitors in FY 2011-12.
- Generated more than \$52 million in revenue in FY 11-12
- Operating budget for FY 11-12- just over \$80 million.
- Helps to contribute over \$1.16 billion in local economic impact.





# Water Policy & Ecosystem Restoration



- Office of Water Policy
  - 5 Water Management Districts:
    - Northwest Florida (NWFWMMD)
    - Suwannee River (SRWMD)
    - St. John's River (SJRWMD)
    - Southwest Florida (SWFWMD)
    - South Florida (SFWMD)
- Ecosystem Restoration
- Coastal and Aquatic Managed Areas





# Office of Water Policy

## Specific Statutory Responsibilities:

- Minimum Flows and Levels (MFL) Priority Lists.
- Florida Water Plan (including Rule 62-40, F.A.C.).
- Annual Report on Regional Water Supply Planning.
- Review WMD rules for consistency with Rule 62-40 F.A.C.

## General Statutory Responsibilities:

- Section 373.036, F.S. and Rule 62-40, F.A.C.: The Department “shall ... review rules of the water management districts for consistency with this rule.”
- Subsection 373.026(7), F.S.: The Department “shall ... exercise general supervisory authority over all water management districts.”

## Initiatives:

- Consumptive use Permitting Consistency (CUPcon)
- Cost efficiencies (e.g., common vehicle replacement policies.)
- Metrics for comparing performance.



# Ecosystem Restoration

- Office of Ecosystem Projects is the State's lead office for program/planning coordination and regulation of Everglades restoration activities.
- Works in conjunction with the SFWMD and the US Army Corps of Engineers, who hold state permits for Everglades restoration activities.
- Everglades Water Quality Restoration Plan
- Coordinates with other Department staff, state and federal agencies, industry representatives, and other groups in developing and implementing:
  - Water quality, biological, and other research and monitoring programs in the Everglades Protection Area;
  - Evaluates water quality, biological, and other data from these programs;
  - Reviews and prepares technical reports on topics related to Everglades restoration;
  - Implements grants in support of Everglades research and monitoring activities; and
  - Carries out rulemaking activities required under the Everglades Forever Act (EFA).



# Coastal and Aquatic Managed Areas

- Manages 4.8M acres of submerged and coastal lands in Florida.
- Three National Estuarine Research Reserves:
  - Apalachicola
  - Guana-Tolomato-Mantanzas (Ponte Vedra)
  - Rookery Bay (Naples)
- 41 Aquatic Preserves.
- Florida Keys National Marine Sanctuary (FKNMS) managed jointly with NOAA through agreement with the State of Florida.
- Coral Reef Conservation Program – a cooperative program to coordinate research and develop strategies to advance protection of Florida’s southeastern reef tract.



# Regulatory Programs

- Division of Waste Management
- Division of Water Resource Management
- Division of Air Resource Management
- Division of Environmental Assessment and Restoration
- 6 Regulatory District Offices:

• Northwest District - Pensacola	• Northeast District – Jacksonville
• Central District - Orlando	• Southwest District - Tampa
• South District – Fort Myers	• Southeast District – West Palm Beach

- Florida Geological Survey
- Office of Emergency Response



# Division of Waste Management

- Manages and regulate solid and hazardous waste
- Cleans up contaminated sites
- Regulates petroleum storage systems
- Manages the state's recycling programs





# Division of Water Resource Management

- Regulates activities and manages the health of Florida's sandy beaches.
- Oversees permitting of activities in wetlands and waterbodies, including authorization to use sovereign submerged lands.
- Regulates industrial discharges and mining and mineral extraction.
- Funds and regulates drinking water and wastewater facilities.







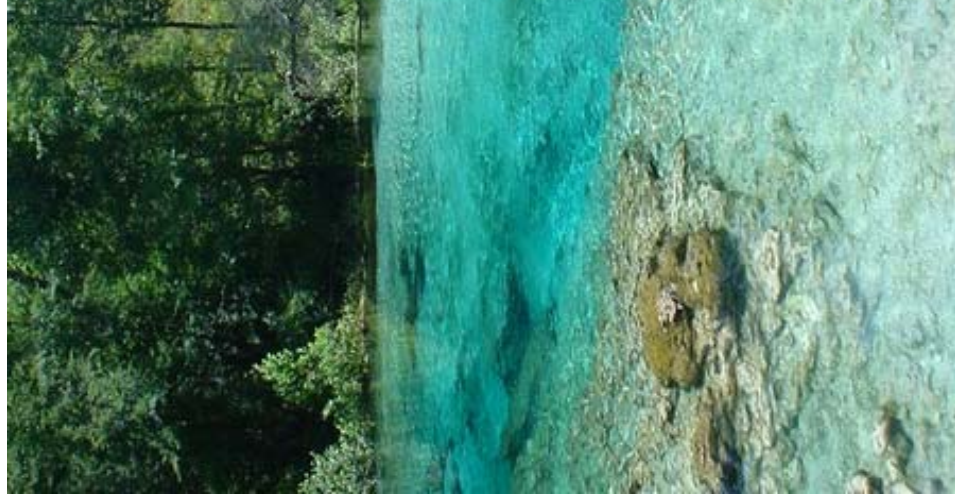
# Division of Air Resource Management

- Monitors air quality
- Permits air emission sources
- Certifies electrical power plants, transmission lines and natural gas pipelines





# Division of Environmental Assessment and Restoration

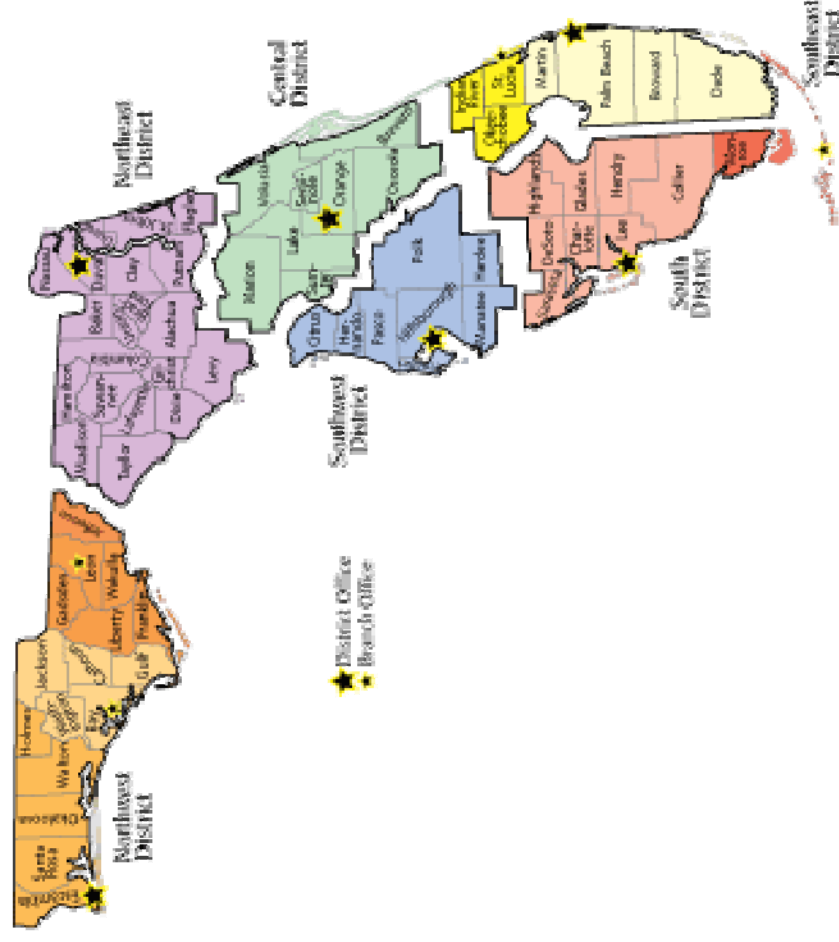


- Monitors and assesses water quality
- Establishes water quality standards, restoration goals and restoration plans
- Provides lab support



# Regulatory Districts

- Districts are the face of DEP to most people, local governments and industries, whether reviewing a proposed activity, responding to complaints or providing technical assistance.
- Most permitting, compliance assistance and enforcement is handled by the districts.





# Florida Geological Survey

- Provides geoscience services to almost all DEP divisions and districts, with maps, data, samples and reports that they generate and archive.
- Provides services to state and federal agencies, industry, environmental consultants, planners, academia and the general public.





# Office of Emergency Response



- Coordinates cleanup of incidents involving hazardous substances.
- Coordinates DEP response in support of state Emergency Operations Center activation.







# Consumptive Use Permitting Consistency (CUPcon)



Greg Munson  
Deputy Secretary for  
Water Policy and Ecosystem Restoration





# Why Consumptive Use Permitting Consistency? (CUPcon)

- CUP rules in each WMD are based on same statute, but have developed differently over time
- Confusing for applicants
- Problematic at borders between WMDs





# CUPcon Review Goals

- Make program less confusing for applicants, particularly those who work in more than one District
- Treat applicants equitably statewide
- Consistent protection of the environment
- Streamlining of the process
- Incentivize behavior that protects water resources, including conservation





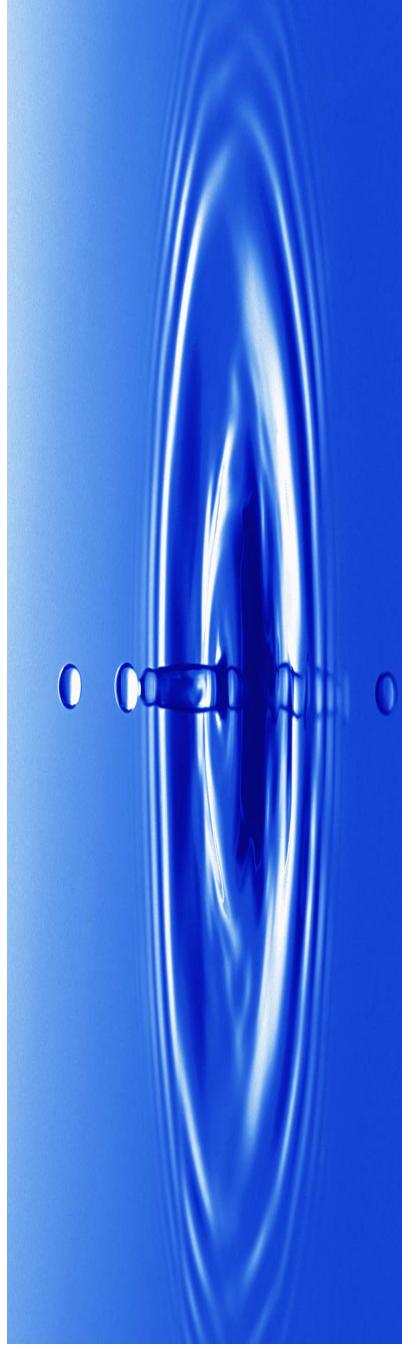
# CUPcon Rulemaking

- Changes to DEP Rule 62-40, F.A.C., the State Water Resource Development Rule in Pre-phase (Feb. 2013)
- Changes to WMD Consumptive Use permitting rules
  - WMD Rulemaking to occur in several phases depending on complexity of issue.
  - Phase 1: Summer 2013
  - Phase 2: ~~December 2013~~ Summer 2014



# Rule 62-40, F.A.C. – What is it?

- The Water Resource Implementation Rule (State Water Policy).
  - Goals, objectives and guidance for DEP and WMDs for programs, rules and plans related to water resources.
  - WMD rules must be consistent with Rule 62-40, F.A.C. , per Section 373.036, F.S.
- Amendments not effective until after next legislative session.





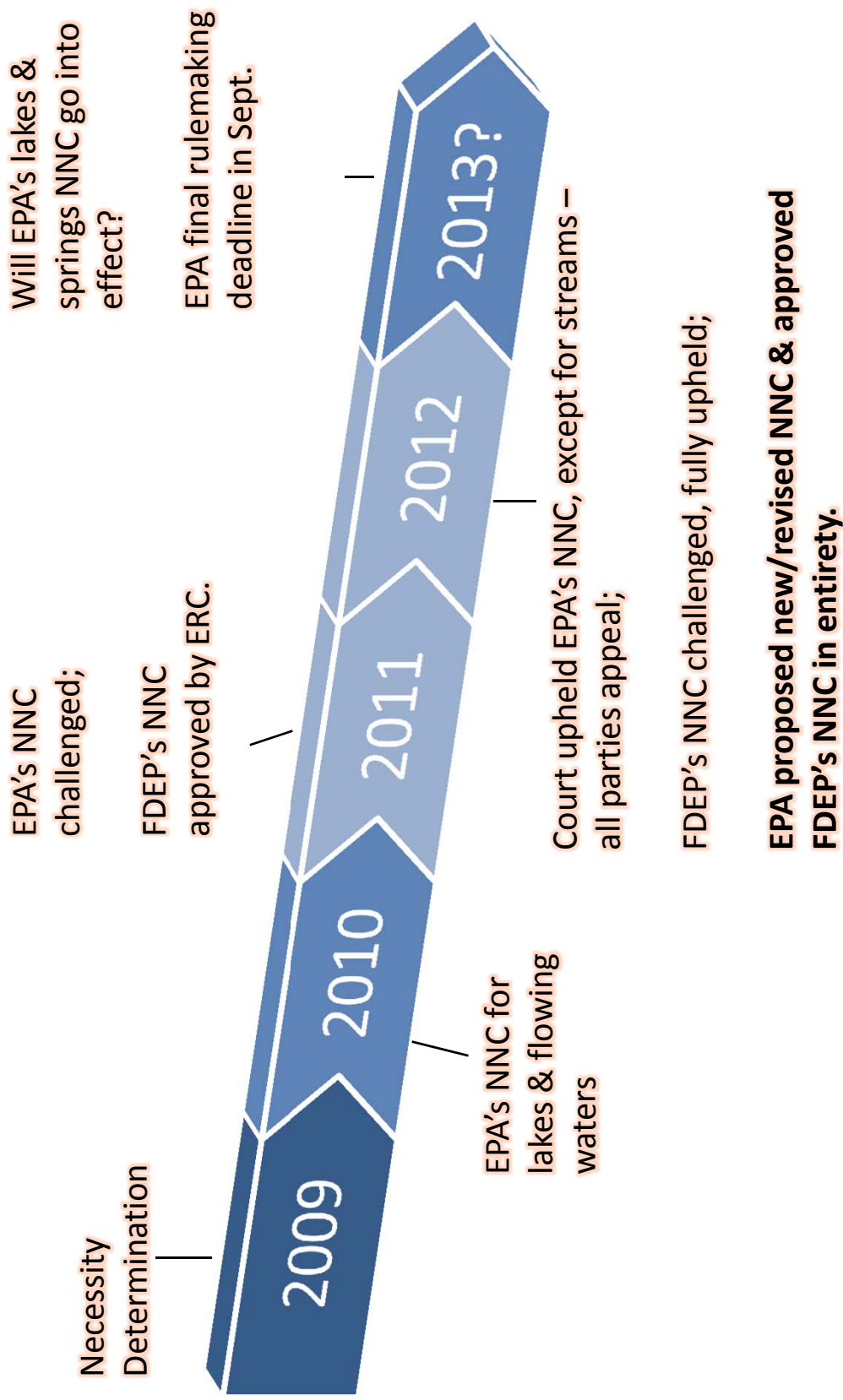
# Numeric Nutrient Criteria

## NNC Update

Drew Bartlett  
Director, Division of Environmental Assessment and Restoration  
Florida House of Representatives  
Agriculture and Natural Resources Subcommittee  
January 15, 2013



# Numeric Nutrient Criteria Timeline

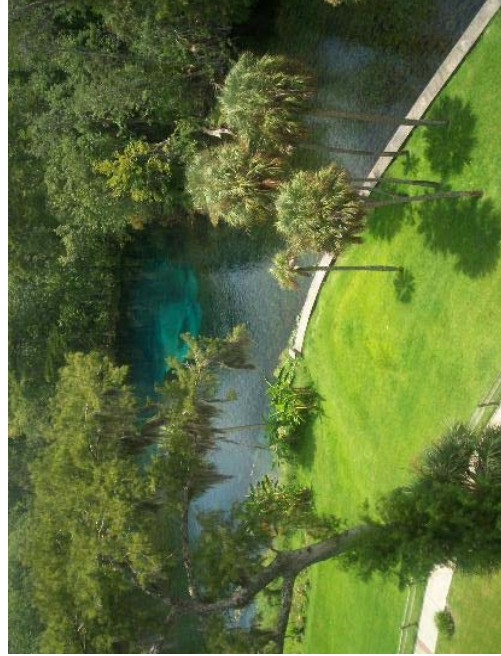






# Approval of State Nutrient Criteria

- On Nov. 30, 2012, EPA approved FDEP’s nutrient criteria for 100% of Florida’s rivers, streams, lakes, and south FL estuaries.
- EPA also amended its Jan. 2009 “necessity determination,” acknowledging that FDEP’s criteria protect downstream waters.
- Currently, the only criteria in full effect are for south Florida estuaries.
  - Effective dates for remaining criteria vary, while the state narrative criteria and established TMDLs apply in the interim.



Silver Springs





# EPA's Proposed Criteria

- Simultaneously, EPA proposed draft federal nutrient criteria for waters not covered by FDEP's criteria in response to a consent decree.
- EPA's proposed coverage includes:
  - Remaining estuaries
  - Open ocean waters
  - Point where south Florida canals enter estuaries
  - Scientifically challenging areas like tidal creeks and managed water conveyances.

# Statewide Environmental Resource Permitting



## Statewide Uniform ERP Rules for Florida

Jeff Littlejohn, Deputy Secretary  
Regulatory Programs  
Florida Department of Environmental Protection

Florida House of Representatives  
Agriculture and Natural Resources Subcommittee  
January 15, 2013



# STATEWIDE ERP RULE

## Goals and Principles



- Agency Priority: regulatory certainty and consistency
- Goal: streamlined, straightforward rule





# STATEWIDE ERP RULE Rulemaking Approach

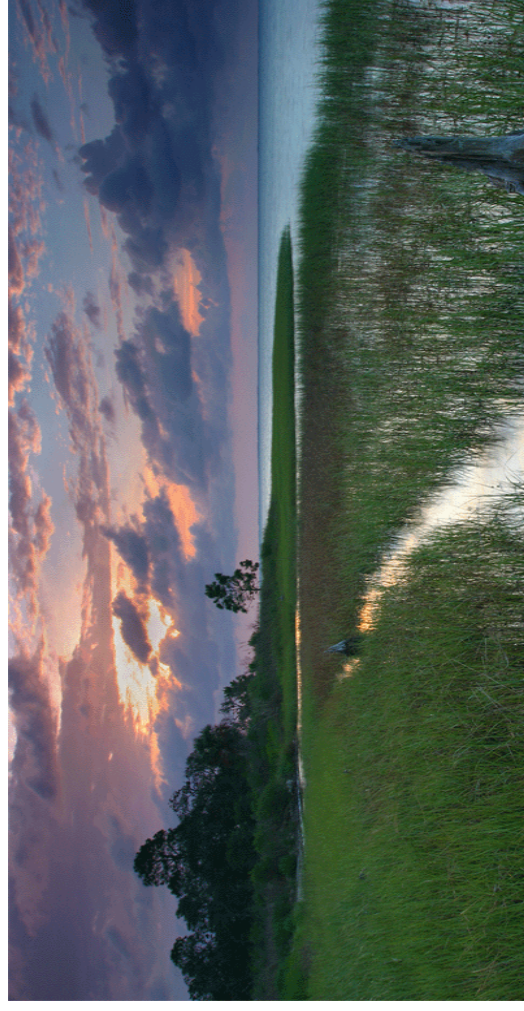
- Amend Chapter 62-330, F.A.C.
- Open and transparent process
- Feedback from water management districts
- Workshops in July, August and October
- WMDs Implement without further rulemaking



# STATEWIDE ERP RULE

## Scope of Rulemaking

- Based on existing rules
- Retain regional differences
- Retain basin-specific rules
- Synchronize permit conditions, procedures and fees
- Address technology and expedite routine projects





# STATEWIDE ERP RULE

## Rulemaking Website



Florida  
Department of Environmental Protection

DEP Home About DEP Programs Contact Site Map Search



- » [Programs](#)
- » [Water Home](#)
- » [Assessment](#)
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### Statewide ERP Rule

# ERP Statewide Rulemaking

On April 14, 2012, Governor Rick Scott signed legislation granting DEP the authority to create one statewide rule for the environmental resource permit program

[Discussion Forum](#)  
[Comment Policy](#)

### **New!** Rule Drafts of Chapter 62-330, F.A.C. are Now Available from the [Rule Drafts Page!](#)

Currently, between DEP and Florida's five water management districts, at least five different versions of the ERP rules are in place statewide. Reducing the number and complexity of the rules will make it easier for everyone to understand and apply what is expected of them during the ERP regulatory process, and will improve predictability and consistency in permitting decisions. A statewide rule will not raise or lower environmental standards.

DEP will work with the water management districts, local governments, citizens and businesses throughout the development of the statewide rule.

#### **About this website**

This website will be the primary source of public information on the progress of this rulemaking and will be updated weekly. You are encouraged to check for updates. DEP and the water management districts will engage the public during rule development by:

- » Hosting public workshops and comment pages for "real time" feedback from the public.
- » Posting and updating draft rules online, for review and comment, allowing more people to interact with our experts and comment on our rules.

While comments may be provided directly to agency staff, providing comments through the Discussion Forum will ensure that the appropriate staff members are made aware of your comments, suggestions and concerns. All comments will be reviewed and DEP staff will respond to individual comments, when appropriate, for clarification.

#### Quick Links

- [Home](#)
- [What is ERP?](#)
- [Rulemaking](#)
- [Timeline & Events](#)
- [News & Notices](#)
- [Workshops & Hearings](#)
- [Rule Drafts](#)
- [Discussion Forum](#)
- [Comment Policy](#)

#### Email Updates

To sign up for updates or to access your subscriber preferences, please enter your contact information below.

\*Email Address

# STATEWIDE ERP RULE Online Forum



## Florida Department of Environmental Protection Environmental Resource Permit Rulemaking Forum

DEP Rulemaking Homepage

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Forums

### Welcome to Florida Environmental Resource Permit Rulemaking

General Comments	8 topics 3 replies		Redevelopment and Infill By admin 20 Dec 2012
Forum Comment Policy	3 topics 1 replies		12.4 Minimum Operation... By JenniferSButler 20 Dec 2012
Frequently Asked Questions (FAQ)	1 topics 2 replies		Stormwater Handbooks - Ques... By HiltonTMeadows 06 Jun 2012
Process, Timeline, Workshops	4 topics 2 replies		Length of Workshops By admin 01 Aug 2012
Feedback & Suggestions	0 topics 0 replies		No posts to view
Report A Problem	0 topics 0 replies		No posts to view

### Specific Comments Rule #

General Comments	4 topics 1 replies		Letter from Conservancy of... By admin 30 Oct 2012
Part I. General, Procedural, Submittal and Processing	11 topics 5 replies		Grandfathering By admin

### Upcoming Calendar Events

There are no forthcoming calendar events

### Recent Topics

- 12.4 Minimum Operation & Maintenance Standards  
KimberlyALawrence - Dec 20 2012 03:33 PM
- 10.3.1 and 10.3.5  
admin - Dec 17 2012 11:22 PM
- Redevelopment and Infill  
keilRhammer Levy - Dec 14 2012 01:44 PM
- Single-Family Residential Activities in Wetlands  
admin - Dec 07 2012 03:25 PM
- General Permit for the Restoration, Establishment and Enhancement of low profile Oyster Habitat  
AnnePBirch - Dec 04 2012 09:20 PM



# Contact

Pierce Schuessler, Director, Legislative Affairs

[Pierce.Schuessler@dep.state.fl.us](mailto:Pierce.Schuessler@dep.state.fl.us)

Department of Environmental Protection  
Office of Legislative Affairs

850.245.2140





