

EPC COMMISSIONERS

Lesley “Les” Miller, Jr., *Chair*
Victor D. Crist, *Vice Chair*
Ken Hagan
Al Higginbotham
Pat Kemp
Sandra L. Murman
Stacy White



Janet L. Dougherty
Executive Director

Richard Tschantz, Esq.
General Counsel

EPC MEETING AGENDA

February 16, 2017 at 9:00 a.m.

601 East Kennedy Boulevard, Tampa, Florida
County Center Board Room 2nd Floor

- 1. CALL TO ORDER, PLEDGE OF ALLEGIANCE and INVOCATION**
- 2. CHANGES TO THE AGENDA**
- 3. REMOVAL OF CONSENT ITEM(S) FOR QUESTIONS, COMMENTS or SEPARATE VOTE**
- 4. RECOGNITIONS**
 - *ERIC SANTIAGO, County Employee in Real Estate and Facilities Services. Recognizing him for his continued and dedicated service to maintaining the Roger P. Stewart Center.*
- 5. PUBLIC COMMENT - Three minutes are allowed for each speaker unless the Commission directs differently.**
- 6. CITIZENS’ ENVIRONMENTAL ADVISORY COMMITTEE UPDATE**
- 7. APPROVAL OF CONSENT AGENDA**

EPC AGENDA ITEMS

A. CONSENT AGENDA

1. Approval of EPC Meeting Minutes – December 12, 2016	2
2. Divisional Monthly Activity Reports.....	8
3. FY2017 Pollution Recovery Fund (PRF) Budget.....	24
4. Legal Case Summaries.....	26
5. Pollution Recovery Fund Sun City Center Audubon Project –Grantee legal name correction	29
6. Fourth Quarter update – 2016 Action Plans	30
7. 2016 Performance Measure Goals year end update.....	42

B. PUBLIC HEARINGS

None

C. REGULAR AGENDA

1. Private Lift Station report	44
2. Request to Initiate Rulemaking and Conduct Public Hearing in April 2017 on Chapter 1-12, Rules of the EPC (Storage Tank Rule)	45
3. Request for Commission to Oppose and Send Letters Regarding Local Regulation Preemption Bill (HB 17) and Mangrove Alteration and Trimming Bill (HB 419).....	46
4. Community Rating System and Wetland Conservation report.....	50

D. EXECUTIVE DIRECTOR REPORT

1. Complaint Policy update
2. Summary and thank you regarding January 26, 2017 presentation by TECO, FFWCC, and Florida Aquarium at the Florida Conservation and Technology Center
3. 50th EPC Anniversary event update

ADJOURN

Any person who might wish to appeal any decision made by the EPC regarding any matter considered at the forthcoming public hearing or meeting is hereby advised that they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET **A1**

Date of EPC Meeting: February 16, 2017

Subject: Approval of December 12, 2016 EPC meeting minutes

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: Approve the December 12, 2016 EPC meeting minutes.

Brief Summary: Staff requests the Commission approve the meeting minutes from the Commission meeting held on December 12, 2016.

Financial Impact: No financial impact.

Background: (None)

List of Attachments: Draft copy of the December 12, 2016 EPC meeting minutes

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting scheduled for Thursday, December 15, 2016, at 9:00 a.m., in the 26th Floor Conference Room, Frederick B. Karl County Center, Tampa, Florida.

The following members were present: Vice Chairman Victor Crist and Commissioners Ken Hagan, Pat Kemp, Sandra Murman, and Stacy White.

The following members were absent: Chairman Lesley Miller Jr. and Commissioner Al Higginbotham.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INVOCATION

▶ Vice Chairman Crist called the meeting to order at 9:09 a.m. Commissioner White led in the pledge of allegiance to the flag and gave the invocation.

2. CHANGES TO THE AGENDA

▶ Ms. Janet Dougherty, EPC Executive Director, reviewed the changes to the agenda and explained for Commissioner White the reason for Chairman Miller wanting to address Item A.5., authorize an agreement with Vision Technology Solutions LLC for new website and support for a separate vote,

▶ Vice Chairman Crist sought a motion to accept the agenda with changes. **Commissioner Murman so moved, seconded by Commissioner Kemp, and carried five to zero.** (Chairman Miller and Commissioner Higginbotham were absent.)

3. REMOVAL OF CONSENT ITEMS FOR QUESTIONS, COMMENTS, OR SEPARATE VOTE

▶ Noting Item A.5. would be pulled to be considered on an individual basis, Vice Chairman Crist requested a motion to approve the Consent Agenda. ▶ **Commissioner Murman moved to approve the Consent Agenda with the one change pulled, Item A.5., seconded by Commissioner Kemp, and carried five to zero.** (Chairman Miller and Commissioner Higginbotham were absent.)

4. RECOGNITIONS

Hillsborough Area Regional Transit Authority (HART) - In Appreciation of Their Sustainability Effort to Incorporate Compressed Natural Gas Buses and Vans into Their Fleet and in Recognition for Acquiring

International Organization for Standardization Certification for Environmental Management Systems.

▶ Ms. Dougherty touched on the item. Ms. Michelle Jenkins, EPC, introduced Ms. Katherine Eagan, chief executive officer, HART, who spoke on the compressed natural gas fleet vehicles. Ms. Jenkins read the commendation.

Hillsborough County Public Schools (HCPS) - In Appreciation of Their Sustainability Effort to Incorporate Propane School Buses into Their Fleet.

▶ Ms. Jenkins recognized Mr. Jeffrey Eakins, superintendent, HCPS, who elaborated on the sustainability achievement. Mr. Jim Beekman, HCPS, gave a presentation, as contained in background material. ▶ Ms. Susan Valdes, Hillsborough County School Board (School Board), made appreciative remarks. Ms. Jenkins recited the commendation.

5. PUBLIC COMMENT

▶ Attorney Edward Turanchik, on behalf of Moving Forward with Propane, expounded on the campaign and displayed a video. Following comments, ▶ Vice Chairman Crist sought a motion to close public comment. **Commissioner Murman so moved, seconded by Commissioner White, and carried five to zero.** (Chairman Miller and Commissioner Higginbotham were absent.)

6. CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE (CEAC) UPDATE

▶ Mr. Joseph Walsh, CEAC, relayed CEAC activities.

7. APPROVAL OF CONSENT AGENDA

EPC AGENDA ITEMS:

A. CONSENT AGENDA

1. Approval of EPC Meeting Minutes - October 20, 2016
2. Divisional Monthly Activity Reports
3. Fiscal Year 2017 Pollution Recovery Fund (PRF) Budget
4. Legal Case Summaries

▶ **Commissioner Murman moved approval of the Consent Agenda.** After Vice Chairman Crist clarified the motion exempted Item A.5., ▶ **Commissioner Kemp seconded the motion, which carried five to zero.** (Chairman Miller and Commissioner Higginbotham were absent.)

5. Authorize Agreement with Vision Technology Solutions LLC for New Website and Support

▶ Upon confirming no further information was needed, Vice Chairman Crist sought a motion. **Commissioner Murman moved approval of Item A.5., seconded by Commissioner Kemp, and carried five to zero.** (Chairman Miller and Commissioner Higginbotham were absent.)

B. PUBLIC HEARINGS - ▶ None.

C. REGULAR AGENDA

1. Mosaic Fertilizer LLC (Mosaic) Report by Dr. Nadim Fuleihan, President of Ardaman and Associates Incorporated

▶ Ms. Dougherty introduced Dr. Fuleihan, who elaborated on the report, as displayed in background material. ▶ Citing potential environmental impacts, Commissioner White solicited presentations/reports from the Florida Department of Environmental Protection and Polk County officials and inquired about the bottled water program, which Mr. Richard Gent, Mosaic, provided. Commissioner White asked Mosaic to consider extending the bottled water program, called on Ms. Dougherty to explore additional bottled water supply options for affected populations, and wanted EPC/Public Works to ensure a municipal water supply emergency action plan for East Hillsborough/West Polk Counties. ▶ Subsequent to discussion, Ms. Dougherty deferred to Mr. Sam Elrabi, Director, EPC Water Management Division, who explained jurisdictional responsibilities and listed actions taken to address the Lake Wales sinkhole incident. Talks ensued.

2. Yard Trash Processing Facility Informational Report

▶ After comments from Ms. Dougherty, Vice Chairman Crist sought public comment. The following people relayed yard trash processing facility complaints: ▶ Meses. Carla Card, Odessa resident; Linda Martin, 18520 Tyler Road; and Joanne Chamberlain, 13017 Beech Street; and ▶ Mr. Michael Michelin, Odessa resident.

▶ Mr. Ward Netscher, Keystone Civic Association Incorporated (Keystone), favored the facility's location.

▶ Mr. Charles Moritz, 18513 Dakota Road, shared health/facility concerns.

▶ Mr. Thomas Aderhold, president, Keystone, suggested the facility produce a best practices manual for other County/regional sites, EPC/Code Enforcement to staff address repeat nuisance complaints, and did not want to penalize the facility. Vice Chairman Crist sought a copy of Mr. Aderhold's recommendations.

▶ Mr. Jeffery Bakshis, Odessa resident, believed the facility should remain open.

Subsequent to petitioning for EPC director comments, **▶ Commissioner Murman moved to close public comment, seconded by Commissioner Kemp, and carried four to zero.** (Commissioner Hagan was out of the room; Chairman Miller

and Commissioner Higginbotham were absent.) **▶** Agreeing to send Mr. Aderhold a copy of the 2008 EPC best practices manual, Ms. Dougherty deferred to Mr. Hooshang Boostani, Director, EPC Waste Management Division, who gave a presentation, as displayed in background material.

▶ Ms. Dougherty noted compliance efforts. Following remarks, Commissioner Murman wanted Attorney Richard Tschantz, EPC General Counsel, to work with Senior Assistant County Attorney Paul Johnston and the County Attorney's Office to ensure EPC legal conformity and desired a repeat complaint policy, EPC staff to meet with the County Attorney/residents to explore mediation options, and determine a course of action and report back to the EPC Board. Responding to Vice Chairman Crist, **▶** Attorney Tschantz elaborated on resolution options, which Commissioner Murman desired the County Attorney's Office be included. After verifying commissioner requests, Ms. Dougherty clarified notification steps taken by the EPC and detailed her personal work history. Vice Chairman Crist opined on possible State-wide policy standard procedures.

3. Strategic Planning for 2017

▶ Mr. Jerry Campbell, Director, EPC Air Management, gave a presentation, as contained in background material, and staff recommendation for the EPC Board approve the strategic planning calendar and the 2017 new action plans, and the 2017 performance goals as presented. **▶** Vice Chairman Crist

called for a motion. **Commissioner White so moved, seconded by Commissioner Murman, and carried four to zero.** (Commissioner Hagan was out of the room; Chairman Miller and Commissioner Higginbotham were absent.) Referencing State eligibility for school buses/public transportation Volkswagen settlement funding, Commissioner Kemp queried EPC staff could work with the School Board/HART on qualifying for the funds.

D. EXECUTIVE DIRECTOR REPORT

1. Governor's Sterling Award Showcase
2. Proposal to hold the January 26, 2017, EPC meeting at the TECO and Florida Aquarium Florida Conservation and Technology Center in Apollo Beach
3. 50th EPC Anniversary event to be held off-site on March 30, 2017, in lieu of regular EPC meeting
4. Commission Appreciation

▶ Ms. Dougherty gave the presentation, stated the possible January 26, 2017, meeting change to a field visit would be publicly noticed, and displayed a video. Dialogue commenced.

ADJOURN

▶ There being no further business, the meeting was adjourned at 11:25 a.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
PAT FRANK, CLERK

By: _____
Deputy Clerk

jh



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET **A2**

Date of EPC Meeting: February 16, 2017

Subject: Divisional Monthly Activity Reports: Dec. 2016 and Jan. 2017

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: Accept the Divisional Monthly Activity Reports

Brief Summary: Staff provides various data from the four regulatory divisions for informational purposes.

Financial Impact: No financial impact.

Background: (none)

List of Attachments: Air, Waste, Water and Wetlands Management Divisions monthly activity reports for December 2016 and January 2017.

AIR DIVISION ACTIVITIES
Monthly Input Report
FY17

		<u>DEC</u>	<u>JAN</u>
A.	Public Outreach/Education Assistance		
1	Phone Calls	136	235
2	Literature Distributed	0	0
3	Presentations	1	3
4	Media Contacts	0	1
5	Internet	49	47
6	Host/Sponsor Workshops, Meetings, Special Events	0	0
B.	Industrial Air Pollution Permitting		
1	Permit Applications Received		
	a. Operating	2	6
	b. Construction	2	1
	c. Amendments / Transfers / Extensions	3	2
	d. Title V Operating:	0	0
	e. Permit Determinations	2	1
2	Permits Issued		
	a. Operating	4	1
	b. Construction	1	1
	c. Amendments / Transfers / Extensions	2	3
	d. Title V Operating	1	0
	e. Permit Determinations	3	1
3	Intent to Deny Permit Issued	0	0
C.	Administrative Enforcement		
1	New cases Received	1	0
2	On-going Cases	16	16
3	Notice Of Intent's Issued	1	0
4	Citations Issued	0	0
5	Consent Orders Signed	0	2
6	Contributions to the Pollution Recovery Fund	\$0.00	\$500.00
	a. Contributor		
	Tampa Fiberglass		
	Johnson Controls Battery Group		
	Creative Convenience Corp.		
7	Cases Closed	1	0

**FY 17 - MONTHLY ACTIVITIES REPORT
WASTE MANAGEMENT DIVISION**

DEC

A. ENFORCEMENT

1.	New cases received	-
2.	On-going administrative cases	
	Pending	1
	Active	5
	Legal	3
	Tracking Compliance (Administrative)	26
	Inactive/Referred Cases	2
3.	NOI's issued	2
4.	Citations issued	-
5.	Consent Orders and Settlement Letter Signed	-
6.	Civil Contributions to the Pollution Recover Fund (\$)	\$ -
7.	Enforcement Costs Collected (\$)	\$ -
8.	Cases Closed	

B. SOLID AND HAZARDOUS WASTE

1.	FDEP Permits Received	0
2.	FDEP Permits Reviewed	0
3.	EPC Authorization for Facilities NOT Requiring DEP Permit	3
4.	Other Permits and Reports	
	County Permits Received	0
	County Permits Reviewed	0
	Reports Received (SW/HW + SQG)	64
	Reports Reviewed (SW/HW + SQG)	76
5.	Inspections (Total)	
	Complaints (SW/HW + SQG)	10
	Compliance/Reinspections (SW/HW + SQG)	23
	Facility Compliance	6
	Small Quantity Generator Verifications	101
	P2 Audits	0
6.	Enforcement (SW/HW + SQG)	
	Complaints Received	8
	Complaints Closed	10
	Warning Notices Issued	0
	Warning Notices Closed	0
	Compliance Letters	771
	Letters of Agreement	0
	Agency Referrals	1
7.	Pamphlets, Rules and Material Distributed	586

C. STORAGE TANK COMPLIANCE

1.	Inspections	
	Compliance	76
	Installation	9
	Closure	6
	Compliance Re-Inspections	8
2.	Installation Plans Received	7
3.	Installation Plans Reviewed	5
4.	Closure Plans & Reports	
	Closure Plans Received	3
	Closure Plans Reviewed	3
	Closure Reports Received	-
	Closure Reports Reviewed	-
5.	Enforcement	
	Non-Compliance Letters Issued	66
	Warning Notices Issued	-
	Warning Notices Closed	-

**FY 17 - MONTHLY ACTIVITIES REPORT
WASTE MANAGEMENT DIVISION**

DEC

	Cases Referred to Enforcement	-
	Complaints Received	-
	Complaints Investigated	-
	Complaints Referred	-
6.	Discharge Reporting Forms Received	-
7.	Incident Notification Forms Received	-
8.	Cleanup Notification Letters Issued	-

D. STORAGE TANK CLEANUP

1.	Inspections	17
2.	Reports Received	160
3.	Reports Reviewed	145
	Site Assessment Received	46
	Site Assessment Reviewed	44
	Source Removal Received	2
	Source Removal Reviewed	1
	Remedial Action Plans (RAP'S) Received	4
	Remedial Action Plans (RAP'S) Reviewed	3
	Site Rehabilitation Completion Order/No Further Action Rec'd	1
	Site Rehabilitation Completion Order/No Further Action Revw'd	1
	Active Remediation/Monitoring Received	41
	Active Remediation/Monitoring Reviewed	34
	Others Received	66
	Others Reviewed	62

E. RECORD REVIEWS	25
F. LEGAL PIR'S	16

**FY 17 - MONTHLY ACTIVITIES REPORT
WASTE MANAGEMENT DIVISION**

JAN

A. ENFORCEMENT

1.	New cases received	-
2.	On-going administrative cases	
	Pending	1
	Active	5
	Legal	3
	Tracking Compliance (Administrative)	26
	Inactive/Referred Cases	2
3.	NOI's issued	2
4.	Citations issued	-
5.	Consent Orders and Settlement Letter Signed	-
6.	Civil Contributions to the Pollution Recover Fund (\$)	\$ -
7.	Enforcement Costs Collected (\$)	\$ -
8.	Cases Closed	

B. SOLID AND HAZARDOUS WASTE

1.	FDEP Permits Received	0
2.	FDEP Permits Reviewed	0
3.	EPC Authorization for Facilities NOT Requiring DEP Permit	2
4.	Other Permits and Reports	
	County Permits Received	0
	County Permits Reviewed	0
	Reports Received (SW/HW + SQG)	72
	Reports Reviewed (SW/HW + SQG)	117
5.	Inspections (Total)	
	Complaints (SW/HW + SQG)	14
	Compliance/Reinspections (SW/HW + SQG)	14
	Facility Compliance	19
	Small Quantity Generator Verifications	148
	P2 Audits	0
6.	Enforcement (SW/HW + SQG)	
	Complaints Received	15
	Complaints Closed	16
	Warning Notices Issued	0
	Warning Notices Closed	0
	Compliance Letters	144
	Letters of Agreement	0
	Agency Referrals	0
7.	Pamphlets, Rules and Material Distributed	705

C. STORAGE TANK COMPLIANCE

1.	Inspections	
	Compliance	52
	Installation	13
	Closure	7
	Compliance Re-Inspections	5
2.	Installation Plans Received	5
3.	Installation Plans Reviewed	1
4.	Closure Plans & Reports	
	Closure Plans Received	3
	Closure Plans Reviewed	1
	Closure Reports Received	1
	Closure Reports Reviewed	-
5.	Enforcement	
	Non-Compliance Letters Issued	49
	Warning Notices Issued	6
	Warning Notices Closed	2

**FY 17 - MONTHLY ACTIVITIES REPORT
WASTE MANAGEMENT DIVISION**

JAN

	Cases Referred to Enforcement	-
	Complaints Received	1
	Complaints Investigated	1
	Complaints Referred	-
6.	Discharge Reporting Forms Received	-
7.	Incident Notification Forms Received	-
8.	Cleanup Notification Letters Issued	-

D. STORAGE TANK CLEANUP

1.	Inspections	25
2.	Reports Received	170
3.	Reports Reviewed	194
	Site Assessment Received	42
	Site Assessment Reviewed	46
	Source Removal Received	3
	Source Removal Reviewed	4
	Remedial Action Plans (RAP'S) Received	2
	Remedial Action Plans (RAP'S) Reviewed	2
	Site Rehabilitation Completion Order/No Further Action Rec'd	4
	Site Rehabilitation Completion Order/No Further Action Revw'd	4
	Active Remediation/Monitoring Received	32
	Active Remediation/Monitoring Reviewed	34
	Others Received	87
	Others Reviewed	104

E. RECORD REVIEWS	13
F. LEGAL PIR'S	21

**FY 17 - MONTHLY ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

DEC

A. ENFORCEMENT

1. New Enforcement Cases Received	-
2. Enforcement Cases Closed	-
3. Enforcement Cases Outstanding	10
4. Enforcement Documents Issued	1
5. Recovered Costs to the General Fund	\$ -
6. Contributions to the Pollution Recovery Fund	\$ -

B. PERMITTING/PROJECT REVIEW - DOMESTIC

1. Permit Applications Received	14
a. Facility Permit	2
(i) Types I and II	-
(ii) Type III	2
b. Collection Systems - General	5
c. Collection systems-Dry Line/Wet Line	7
d. Biosolids Disposal	-
2. Permit Applications Approved	19
a. Facility Permit	1
b. Collection Systems - General	5
c. Collection systems-Dry Line/Wet Line	-
d. Biosolids Disposal	-
e. Final Construction approval	13
3. Permit Applications Recommended for Disapproval	-
a. Facility Permit	-
b. Collection Systems - General	-
c. Collection systems-Dry Line/Wet Line	-
d. Biosolids Disposal	-
4. Permit Applications (Non-Delegated)	-
a. Recommended for Approval	-
5. Permits Withdrawn	-
a. Facility Permit	-
b. Collection Systems - General	-
c. Collection systems-Dry Line/Wet Line	-
d. Biosolids Disposal	-
6. Permit Applications Outstanding	29
a. Facility Permit	9
b. Collection Systems - General	3
c. Collection systems-Dry Line/Wet Line	17
d. Biosolids Disposal	-
7. Permit Determination	2
8. Special Project Reviews	-
a. Reuse	-
b. Biosolids/AUPs	-
c. Others	-

C. INSPECTIONS - DOMESTIC

1.	Compliance Evaluation	8
	a. Inspection (CEI)	4
	b. Sampling Inspection (CSI)	4
	c. Toxics Sampling Inspection (XSI)	-
	d. Performance Audit Inspection (PAI)	-
2.	Reconnaissance	38
	a. Inspection (RI)	3
	b. Sample Inspection (SRI)	-
	c. Complaint Inspection (CRI)	35
	d. Enforcement Inspection (ERI)	-
3.	Engineering Inspections	30
	a. Reconnaissance Inspection (RI)	3
	b. Sample Reconnaissance Inspection (SRI)	-
	c. Residual Site Inspection (RSI)	-
	d. Preconstruction Inspection (PCI)	7
	e. Post Construction Inspection (XCI)	20
	f. On-site Engineering Evaluation	-
	g. Enforcement Reconnaissance Inspection (ERI)	-

D. PERMITTING/PROJECT REVIEW - INDUSTRIAL

1.	Permit Applications Received	5
	a. Facility Permit	-
	(i) Types I and II	-
	(ii) Type III with Groundwater Monitoring	1
	(iii) Type III w/o Groundwater Monitoring	4
	b. General Permit	-
	c. Preliminary Design Report	-
	(i) Types I and II	-
	(ii) Type III with Groundwater Monitoring	-
	(iii) Type III w/o Groundwater Monitoring	-
2.	Permits Recommended to DEP for Approval	1
3.	Special Project Reviews	2
	a. Facility Permit	2
	b. General Permit	-
4.	Permitting Determination	-
5.	Special Project Reviews	28
	a. Phosphate	1
	b. Industrial Wastewater	11
	c. Others	16

E. INSPECTIONS - INDUSTRIAL

1.	Compliance Evaluation (Total)	12
	a. Inspection (CEI)	12
	b. Sampling Inspection (CSI)	-
	c. Toxics Sampling Inspection (XSI)	-
	d. Performance Audit Inspection (PAI)	-
2.	Reconnaissance (Total)	7
	a. Inspection (RI)	-

b. Sample Inspection (SRI)	-
c. Complaint Inspection (CRI)	7
d. Enforcement Inspection (ERI)	-
3. Engineering Inspections (Total)	6
a. Compliance Evaluation (CEI)	6
b. Sampling Inspection (CSI)	-
c. Performance Audit Inspection (PAI)	-
d. Complaint Inspection (CRI)	-
e. Enforcement Reconnaissance Inspections (ERI)	-

F. INVESTIGATION/COMPLIANCE

1. Citizen Complaints	
a. Domestic	
(i) Received	20
(ii) Closed	10
b. Industrial	
(i) Received	3
(ii) Closed	3
2. Warning Notices	
a. Domestic	
(i) Issued	4
(ii) Closed	1
b. Industrial	
(i) Issued	-
(ii) Closed	-
3. Non-Compliance Advisory Letters	7
4. Environmental Compliance Reviews	87
5. Special Project Reviews	28

G. RECORD REVIEWS

1. Permitting Determination	
2. Enforcement	-

H. ENVIRONMENTAL SAMPLES

1. Air Division	45
2. Waste Division	-
3. Water Division	15
4. Wetlands Division	1
5. ERM Division	201
7. Outside Agency	19

I. SPECIAL PROJECT REVIEWS

1. DRIs	1
2. ARs	-
3. Technical Support	1
4. Other	39

**FY 17 - MONTHLY ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

JAN

A. ENFORCEMENT

1. New Enforcement Cases Received	-	
2. Enforcement Cases Closed	1	
3. Enforcement Cases Outstanding	8	
4. Enforcement Documents Issued	1	
5. Recovered Costs to the General Fund	\$ 225	
6. Contributions to the Pollution Recovery Fund	\$ 2,000	

B. PERMITTING/PROJECT REVIEW - DOMESTIC

1. Permit Applications Received	19	
a. Facility Permit	4	
(i) Types I and II	1	
(ii) Type III	3	
b. Collection Systems - General	5	
c. Collection systems-Dry Line/Wet Line	10	
d. Biosolids Disposal	-	
2. Permit Applications Approved	23	
a. Facility Permit	5	
b. Collection Systems - General	4	
c. Collection systems-Dry Line/Wet Line	9	
d. Biosolids Disposal	-	
e. Final Construction approval	5	
3. Permit Applications Recommended for Disapproval	-	
a. Facility Permit	-	
b. Collection Systems - General	-	
c. Collection systems-Dry Line/Wet Line	-	
d. Biosolids Disposal	-	
4. Permit Applications (Non-Delegated)	-	
a. Recommended for Approval	-	
5. Permits Withdrawn	-	
a. Facility Permit	-	
b. Collection Systems - General	-	
c. Collection systems-Dry Line/Wet Line	-	
d. Biosolids Disposal	-	
6. Permit Applications Outstanding	13	
a. Facility Permit	6	
b. Collection Systems - General	3	
c. Collection systems-Dry Line/Wet Line	4	
d. Biosolids Disposal	-	

7. Permit Determination	6
8. Special Project Reviews	-
a. Reuse	-
b. Biosolids/AUPs	-
c. Others	-
C. INSPECTIONS - DOMESTIC	
1. Compliance Evaluation	7
a. Inspection (CEI)	5
b. Sampling Inspection (CSI)	2
c. Toxics Sampling Inspection (XSI)	-
d. Performance Audit Inspection (PAI)	-
2. Reconnaissance	30
a. Inspection (RI)	7
b. Sample Inspection (SRI)	-
c. Complaint Inspection (CRI)	23
d. Enforcement Inspection (ERI)	
3. Engineering Inspections	19
a. Reconnaissance Inspection (RI)	-
b. Sample Reconnaissance Inspection (SRI)	-
c. Residual Site Inspection (RSI)	-
d. Preconstruction Inspection (PCI)	12
e. Post Construction Inspection (XCI)	7
f. On-site Engineering Evaluation	-
g. Enforcement Reconnaissance Inspection (ERI)	-
D. PERMITTING/PROJECT REVIEW - INDUSTRIAL	
1. Permit Applications Received	4
a. Facility Permit	
(i) Types I and II	1
(ii) Type III with Groundwater Monitoring	-
(iii) Type III w/o Groundwater Monitoring	2
b. General Permit	1
c. Preliminary Design Report	-
(i) Types I and II	-
(ii) Type III with Groundwater Monitoring	-
(iii) Type III w/o Groundwater Monitoring	-
2. Permits Recommended to DEP for Approval	-
3. Special Project Reviews	2
a. Facility Permit	2
b. General Permit	-

4. Permitting Determination	-
5. Special Project Reviews	26
a. Phosphate	-
b. Industrial Wastewater	10
c. Others	16
E. INSPECTIONS - INDUSTRIAL	
1. Compliance Evaluation (Total)	17
a. Inspection (CEI)	16
b. Sampling Inspection (CSI)	1
c. Toxics Sampling Inspection (XSI)	-
d. Performance Audit Inspection (PAI)	-
2. Reconnaissance (Total)	13
a. Inspection (RI)	5
b. Sample Inspection (SRI)	-
c. Complaint Inspection (CRI)	8
d. Enforcement Inspection (ERI)	-
3. Engineering Inspections (Total)	7
a. Compliance Evaluation (CEI)	7
b. Sampling Inspection (CSI)	-
c. Performance Audit Inspection (PAI)	-
d. Complaint Inspection (CRI)	-
e. Enforcement Reconnaissance Inspections (ERI)	-
F. INVESTIGATION/COMPLIANCE	
1. Citizen Complaints	
a. Domestic	
(i) Received	16
(ii) Closed	15
b. Industrial	
(i) Received	4
(ii) Closed	4
2. Warning Notices	
a. Domestic	
(i) Issued	1
(ii) Closed	3
b. Industrial	
(i) Issued	5
(ii) Closed	-
3. Non-Compliance Advisory Letters	8
4. Environmental Compliance Reviews	82
5. Special Project Reviews	38

G. RECORD REVIEWS

- 1. Permitting Determination -
- 2. Enforcement -

**H. ENVIRONMENTAL SAMPLES
ANALYZED/REPORTS REVIEWED (LAB)**

- 1. Air Division 44
- 2. Waste Division -
- 3. Water Division 11
- 4. Wetlands Division -
- 5. ERM Division 207
- 7. Outside Agency 17

I. SPECIAL PROJECT REVIEWS

- 1. DRIs 2
- 2. ARs -
- 3. Technical Support 2
- 4. Other 1

**EPC WETLANDS MANAGEMENT DIVISION
BACKUP AGENDA
December 2016**

	Totals
A. Assessment Reviews	
1. Wetland Delineations	29
2. Surveys	14
3. Miscellaneous Activities in Wetland	33
4. Mangrove	5
5. Notice of Exemption	3
6. Impact/ Mitigation Proposal	4
7. Tampa Port Authority	135
8. Wastewater Treatment Plants (FDEP)	0
9. DRI Annual Report	0
10. On-Site Visits	101
11. Phosphate Mining	0
12. CPA	0
13. Pre-Applications	63
14. AG SWM	0
Planning Growth Management Review	
15. Land Alteration/Landscaping	3
16. Land Excavation	0
17. Rezoning Reviews	18
18. Site Development	31
19. Subdivision	33
20. Wetland Setback Encroachment	2
21. Easement/Access-Vacating	0
22. Agriculture Exemption	0
B. Investigation and Compliance	
1. Warning Notices Issued	0
2. Warning Notices Closed	0
3. Complaints Closed	27
4. Complaint Inspections	29
5. Return Compliance Inspections for open cases	2
6. Mitigation Monitoring Reports	0
7. Mitigation Compliance Inspections	21
8. Erosion Control Inspections	0
9. MAIW Compliance Site Inspections	6
10. TPA Compliance Site Inspections	19
11. Mangrove Compliance Site Inspections	3
12. Conservation Easement Inspection	4
C. Enforcement	
1. Active Cases	8
2. Legal Cases	1
3. Number of "Notice of Intent to Initiate Enforcement"	1
4. Number of Citations Issued	0
5. Number of Consent Orders Signed	1
6. Administrative - Civil Cases Closed	4
7. Cases Referred to Legal Department	1
8. Contributions to Pollution Recovery	\$300.00
9. Enforcement Costs Collected	\$275.00

**EPC WETLANDS MANAGEMENT DIVISION
BACKUP AGENDA
January 2017**

	Totals
A. Assessment Reviews	
1. Wetland Delineations	29
2. Surveys	11
3. Miscellaneous Activities in Wetland	25
4. Mangrove	11
5. Notice of Exemption	0
6. Impact/ Mitigation Proposal	6
7. Tampa Port Authority	111
8. Wastewater Treatment Plants (FDEP)	0
9. DRI Annual Report	0
10. On-Site Visits	101
11. Phosphate Mining	0
12. CPA	0
13. Pre-Applications	67
14. AG SWM	0
Planning Growth Management Review	
15. Land Alteration/Landscaping	2
16. Land Excavation	1
17. Rezoning Reviews	17
18. Site Development	27
19. Subdivision	28
20. Wetland Setback Encroachment	0
21. Easement/Access-Vacating	3
22. Agriculture Exemption	1
B. Investigation and Compliance	
1. Warning Notices Issued	0
2. Warning Notices Closed	0
3. Complaints Closed	22
4. Complaint Inspections	34
5. Return Compliance Inspections for open cases	12
6. Mitigation Monitoring Reports	0
7. Mitigation Compliance Inspections	5
8. Erosion Control Inspections	0
9. MAIW Compliance Site Inspections	6
10. TPA Compliance Site Inspections	21
11. Mangrove Compliance Site Inspections	0
12. Conservation Easement Inspection	10
C. Enforcement	
1. Active Cases	13
2. Legal Cases	1
3. Number of "Notice of Intent to Initiate Enforcement"	1
4. Number of Citations Issued	0
5. Number of Consent Orders Signed	2
6. Administrative - Civil Cases Closed	1
7. Cases Referred to Legal Department	1
8. Contributions to Pollution Recovery	\$250.00
9. Enforcement Costs Collected	\$275.00



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET A3

Date of EPC Meeting: February 16, 2017

Subject: Pollution Recovery Fund Budget

Agenda Section: Consent Agenda

Division: Water Management Division

Recommendation: Informational Report Only

Brief Summary: The EPC staff provides a monthly summary of the funds allocated and available in the Pollution Recovery Fund.

Financial Impact: No Financial Impact

Background: The EPC staff provides a monthly summary of the funds allocated and available in the Pollution Recovery Fund (PRF). The PRF funds are generated by monetary judgments and civil settlements collected by the EPC staff. The funds are then allocated by the Commission for restoration, education, monitoring, the Artificial Reef Program, and other approved uses.

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 17 POLLUTION RECOVERY FUND
10/1/2016 through 1/31/2017**

REVENUE		EXPENDITURES		RESERVES		NET PRF
Beginning Balance	\$ 838,487	Artificial Reef	\$ 33,848	Minimum Balance	\$ 120,000	
Interest	\$ 644	Open Projects	\$ 452,621	Est. FY 18 Budget	\$ 33,848	
Deposits	\$ 19,050			Asbestos Removal	\$ 5,000	
Total	\$ 858,180	Total	\$ 486,469	Total	\$ 158,848	\$ 212,863

PROJECT		Project Amount	Project Balance
FY 12 Project			
USGS Partnership	10131.102063.581990.5370.1188	\$ 25,000	\$ 5,750
		\$ 25,000	\$ 5,750
FY 13 Project			
Community Partnering Program	10131.102073.582990.5370.0000	\$ 15,000	\$ 15,000
		\$ 15,000	\$ 15,000
FY 14 Project			
Lake Magdalene Outfall	10131.102063.582990.5370.1178	\$ 50,000	\$ 50,000
		\$ 50,000	\$ 50,000
FY 15 Projects			
TBW Rock Ponds Wetland Restoration	10131.102063.582990.5370.1247	\$ 50,000	\$ 6,945
East Lake Watershed Edu. & Restoration	10131.102063.582990.5370.1249	\$ 5,012	\$ 5,012
		\$ 55,012	\$ 11,957
FY 16 Projects			
TBW McKay Bay South Oyster Reef	10131.102063.582990.5370.1267	\$ 48,010	\$ 48,010
TBEP Tampa Bay Dredge Hole Habitat	10131.102063.581990.5370.1268	\$ 35,880	\$ 24,213
Keep T.B. Beautiful Trash Free Waters	10131.102063.582990.5370.1269	\$ 30,000	\$ 12,683
H.C. Econ. Development Ag Pest Collect.	10131.102063.581990.5370.1270	\$ 40,000	\$ 26,239
USF Fecal Pollution in Tampa Bay	10131.102063.581990.5370.1271	\$ 50,000	\$ 42,613
Little Manatee River SAV Restoration	10131.102063.582990.5370.1272	\$ 45,832	\$ 45,832
		\$ 249,722	\$ 199,590
FY 17 Projects			
Keep T.B. Beautiful Hills River Poll Prev	10131.102063.582990.5370.1278	\$ 20,160	\$ 20,160
Sun City Ctr Audubon Nature Trail Prop	10131.102063.582990.5370.1279	\$ 20,000	\$ 20,000
H.C. Conservation Bahia Beh Invasive	10131.102063.581990.5370.1280	\$ 31,500	\$ 31,500
FL Aquarium Storm Water Trail Refur	10131.102063.582990.5370.1281	\$ 15,000	\$ 15,000
FL Aquarium Watershed Invest	10131.102063.582990.5370.1282	\$ 55,477	\$ 55,477
		\$ 142,137	\$ 142,137



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET **A4**

Date of EPC Meeting: February 16, 2017

Subject: Monthly Legal Case Summary –January and February 2017

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: None, informational update.

Brief Summary: The EPC Legal Department provides a monthly summary of its ongoing civil, appellate, and administrative matters.

Financial Impact: No Financial Impact anticipated; information update only.

Background: In an effort to provide the Commission with timely information regarding legal challenges, the EPC staff provides this monthly summary. The update serves not only to inform the Commission of current litigation but may also be used as a tool to check for any conflicts they may have in the event a legal matter is discussed by the Commission. The summary provides general details as to the status of the civil and administrative cases.

List of Attachments: Monthly EPC Legal Case Summary

EPC LEGAL DEPARTMENT
MONTHLY REPORT OF LEGAL CASES
January and February 2017

I. ADMINISTRATIVE CASES

Leonard Slawiak vs. Robert and Irene Betancourt, Bruce and Deylli Kelley and EPC [17-EPC-002]: On January 24, 2017, the Appellant Leonard Slawiak, filed a request for an extension of time to file an Appeal to challenge the issuance of Minor Work Permit 61505. The extension of time was granted and the Appellant has until February 20, 2017 to file an Appeal in this matter.

Hortensia Vargas vs. Jeffrey Weiss and EPC [17-EPC-001]: On January 1, 2017, the Appellant Hortensia Vargas filed a request for an extension of time to file an Appeal to challenge the issuance of Minor Work Permit 60794. The extension of time was granted and the Appellant had until February 6, 2017 to file an Appeal. On February 2, 2017 the Appellant filed a request for a second extension of time which was granted. The Appellant has until March 8, 2017 to file an Appeal in this matter.

David Nall vs. EPC [16-EPC-011]: On December 18, 2015, the Appellant David Nall filed a request for an extension of time to file an Appeal challenging an Agency Delineation Approval. The Extension of Time was granted and the Appellant has until December 26, 2016 to file an appeal in this matter. No Appeal was filed and the case is dismissed.

J.E. McLean, III and RaceTrac Petroleum, Inc. [12-EPC-014]: On October 24, 2012, the Appellants, RaceTrac Petroleum, Inc. and the property owner, filed a request for an extension of time to file an Appeal challenging the Executive Director's denial for wetland impacts on the corner of Lumsden and Kings Avenue. The extension was granted and the Appellants filed an appeal in this matter on December 7, 2012. A Hearing Officer has been assigned and conducted a case management conference. This matter was placed in abeyance as the parties discussed options. A conceptual wetland impact approval letter was sent to the applicant on December 8, 2015 after a modification to the application was submitted. The Appellants have not filed a dismissal as they are waiting for final approval of the proposed project by Hillsborough County.

II. CIVIL CASES

Volkswagen AG, et al. [16-EPC-002]: On March 24, 2016, the EPC filed a complaint against Volkswagen AG, et al. for activities that violate the EPC Enabling Act and the rules promulgated thereunder.

Bank of NY Mellon Trust [15-EPC-012]: On December 4, 2015, the Bank of NY Mellon Trust Company National Association served upon the EPC a Verified Complaint for Foreclosure of Mortgage naming EPC as a Defendant in the matter. There is a bankruptcy stay regarding this matter and the case will remain in abeyance until further action in Bankruptcy Court in the case below: U.S. Bankruptcy Court in re Jerry A. Lewis. This case will be closed as the matter will be addressed in the Bankruptcy matter.

Janet Layer [15-EPC-009]: In December of 2015 the EPC Commission authorized staff to take appropriate legal action against Ms. Janet Layer for failure to comply with various wastewater regulations regarding her operation of the domestic wastewater treatment plant and disposal system at Little Manatee Isles Mobile Home Park in Ruskin. The EPC filed a complaint and counsel for Ms. Layer answered the complaint on August 5, 2016.

U.S. Bankruptcy Court in re Jerry A. Lewis Adversary Proceeding [15-EPC-007]: An Adversary Proceeding pertaining to the ongoing Chapter 13 Bankruptcy Case regarding Jerry A. Lewis (see EPC Case No. LEPC09-011) was entered on October 9, 2013, in the U.S. Bankruptcy Court Middle District of Florida. EPC is defendant in the matter and will seek to protect a monetary judgment awarded to us by the Circuit Court.

Thomas Jennings and Lorene Hall-Jennings [14-EPC-011]: On October 7, 2014, the EPC was served with a Declaratory Action challenging the validity of a conservation easement conveyed to the EPC on September 16, 1997. The EPC Legal Department has responded to the lawsuit with an Answer and Affirmative Defenses on October 27, 2014 and the case will move forward as appropriate. On October 12, 2015 the Plaintiff filed a Motion for Judgment on the Pleadings. The EPC responded to the Motion on October 21, 2015. The Plaintiff has scheduled the Hearing on the Motion for November 14, 2016.

Boyce E. Slusmeyer [LEPC10-019]: On Sept 20, 2001, the EPC staff received authority to take legal action for failure to comply with an Executive Director's Citation and Order to Correct Violation for the failure to initiate a cleanup of a petroleum-contaminated property. The Court entered a Consent Final Judgment on March 13, 2003. The Defendant has failed to perform the appropriate remedial actions for petroleum contamination on the property. The EPC filed a lawsuit on October 7, 2010 seeking injunctive relief and recovery of costs and penalties. The property ownership is currently in a probate proceeding and the EPC is waiting for resolution of the matter to move forward.

U.S. Bankruptcy Court in re Jerry A. Lewis [LEPC09-011]: On May 1, 2009, the U.S. Bankruptcy Court Middle District of Florida filed a Notice of Chapter 13 Bankruptcy Case regarding Jerry A. Lewis. On May 26, 2009, the EPC filed a Proof of Claim with the Court. The EPC's basis for the claim is a recorded judgment lien awarded in Civil Court against Mr. Lewis concerning unauthorized disposal of solid waste. The EPC obtained an award of stipulated penalties from the state court. The site remains out of compliance with applicable EPC solid waste regulations and no liens have been paid. The bankruptcy case is ongoing.

Grace E. Poole and Michael Rissell [LEPC08-015]: Authority to take appropriate legal action against Grace E. Poole and Michael Rissell for failure to properly assess petroleum contamination in accordance with EPC and State regulations was granted on June 19, 2008. The property owner and/or other responsible party are required to initiate a site assessment and submit a Site Assessment Report. They have failed to do the required work and the EPC is attempting to obtain appropriate corrective actions.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET A5

Date of EPC Meeting: February 16, 2017

Subject: Pollution Recovery Fund Grant 16-02 - Change Awardee To Proper Legal Name

Agenda Section: Consent Agenda

Division: Water Management Division

Recommendation: Name Sun City Center Community Association, Inc. as Grant Recipient to PRF Grant 16-02

Brief Summary: Sun City Center Audubon Club was awarded \$20,000.00 in Pollution Recovery Funds by the EPC Commission on September 15, 2016 for the project "Restoration of Nature Trail Property." The proper legal name of the awardee is Sun City Center Community Association, Inc.

Financial Impact: No Financial Impact

Background: Sun City Center Audubon Club was awarded \$20,000.00 in Pollution Recovery Funds by the EPC Commission on September 15, 2016 for the project "Restoration of Nature Trail Property." Sun City Center Audubon Club is not a legal entity and operates under the Sun City Center Community Association, Inc. Commission approval is required to change the proper legal name of the awardee to Sun City Center Community Association, Inc.

List of Attachments: None



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET A6

Date of EPC Meeting: February 16, 2017

Subject: 2016 Fourth Quarter Action Plan Updates

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: None – Informational Only

Brief Summary: As done annually for the last six years, at the beginning of 2016 EPC staff developed a series of action plans. These measurable action plans are divided into four individual initiatives which support the Agency's strategic priorities for calendar year 2016. The fourth quarter status reports are listed for all four.


Financial Impact: No additional funds required at this time. Monies for the individual action plans are paid out of the current budget, or will be brought to the Board and requested separately as needed.

Background: As part of the Agency's strategic planning process and philosophy of continuous improvement, staff held a strategic planning retreat in December 2015. This included input from the Board and a broad range of EPC staff. Besides reviewing the priorities and guiding mission statements, staff also prepared a slate of new initiatives to improve the EPC's effectiveness and efficiency. Since the Agency started this formal procedure in 2010, they have completed over sixty of these initiatives.

The four detailed action plans reflect the Agency's strategic objectives for 2016. Each Agency initiative is described in an individual action plan with measurable goals. The attachment reflects the update on the status of each action plan as of the end of the fourth quarter of 2016. The owners of select action plans may be scheduled to present an overview of their project to the Board at regularly scheduled EPC Board meetings.

List of Attachments: Quarterly Update for 2016 Action Plans

Quarterly Update for 2016 Action Plans

Strategic Objective	Action Plan	2017 Year End Goal	Status
1.2 Environmental Excellence / Environmental Stewardship	Stakeholder Relationship Building	Build relationships with various stakeholder groups beyond EPC's established feedback groups.	Established Action Plan Committee.
		Meeting with at least 5 new stakeholder groups (i.e., Tampa Bay Builders Assoc., Agriculture).	The Committee met and identified a list of potential stakeholders to contact.
		Partnering on 3 non-regulatory projects/events.	Participated in Earth Day Gala at the University of Tampa on April 23, 2016.
			Participated in Tampa Innovation Alliance's Monthly Meetings on 5/20 and 9/09, 2016.

Hosted the Open Burning Workshop for Small Businesses on June 30, 2016.

The Executive Director presented at TBAEP's STEM Event on August 23, 2016.

Hosted the Asbestos Workshop for Small Businesses on August 25, 2016.

Participated and presented at the Hillsborough River Board & Technical Advisory Council meeting on October 21, 2016.

Participated in the Tampa Innovation Alliance's Gathering Event on October 26, 2016.

Participated and presented at the Air & Waste Annual Conference on October 26 & 27, 2016.

Participated and presented at the Department of Health meetings on June and December, 2016.

Participated and presented at the Agricultural Economic Development Council meeting on December 6, 2016.

Upcoming meeting with The Tampa Bay Builder's Association in Spring 2017.

Quarterly Update for 2016 Action Plans

Strategic Objective	Action Plans	2016 Year End Goal	Status
Employee Training & Leadership Development	Staff Training	<p>Convene a multi-divisional committee</p> <p>Identify required training for every discipline within EPC</p>	<p>Complete. The committee has been formed and meetings have been held to define objectives and our course of action.</p> <p>In Progress. A list of all disciplines within each division and the corresponding supervisor responsible for training has been developed. Training syllabuses have been obtained from FDEP Sharepoint for all disciplines. Action plan owners met with supervisors in each</p>



division, reviewed and discussed draft syllabuses have been developed each discipline. AP owners issued a guidance email to provide further consistency and focus. A second round of meetings will be held with the division supervisors by the end of February to go over the 2nd draft syllabi. Another meeting will be held afterwards with all the supervisors at the same time to go over the draft syllabi for further focus and consistency.

Develop a training program for each discipline to be used by the employee and the supervisor.

TBD - Work with MIS to prepare a cost estimate for database development. Seek Senior Staff approval to invest in a database that

Also, to research feasibility of developing a database through an outside vendor. will track training/outreach.

Present the action plan results to the Staff Development and Training Committee (SDTC) in order for them to incorporate and maintain the training database and current program disciplines. TBD - Plan a meeting with the SDTC to discuss the action plan and our intent, define responsibilities, actions needed, and future expectations and frequency (timeframes).

Inform employees of the developed training program and database by agency-wide emails TBD - Send an agency-wide email with the details of the action plan and the information regarding the

and a presentation to each division.


training program. Also, conduct meetings with each division's staff to present division-specific information.

Develop a deployment plan.


TBD - Hold meetings to develop a plan for development of the training database and deployment of program for the agency.

Action Plan Closeout.

Quarterly Update for 2016 Action Plans

Strategic Objective	Action Plans	2016 Year End Goal	Status
2.2 Employee Satisfaction & Empowerment	Philanthropic Outreach	Determine parameters for selecting charities. Research charities to partner	Meeting with committee scheduled for April 2016.
		Present Proposal to Senior Staff	August 2016
		Present Program to Agency	August 2016
		Participate in Activities as Planned	August – December 2016

Quarterly Update for 2016 Action Plans

Strategic Objective	Action Plans	2016 Year End Goal	Status
<p>Continuous Improvement/Process Performance & Technology</p> 	<p>Agency Go Paperless Initiative</p>	<p>Perform a SWOT analysis of the Paperless Initiative at EPC</p>	<p>Complete</p>
		<p>Form a committee comprised of (1) staff member from each Division.</p>	<p>Complete</p>
		<p>Identify all key section managers for inventory and have them update and submit a copy of all work flow process diagrams for each section in the Agency.</p>	<p>Complete</p>

Email the initial inventory survey spreadsheet and guidance document to each key section manager to complete and return by February 2016.	Complete
Committee will review inventory results and finalize the list of questions to interview section managers.	Complete
Perform interviews with all key section managers.	Complete
Compile answers from the inventory survey and interview questions.	Complete

Committee will analyze data and survey answers and develop written recommendations for Senior Staff to implement a paperless initiative that includes scope, budget and timeframes.	In Progress (working on quotes) (anticipated completion date of December 2016)
Prepare PowerPoint presentation with recommendations.	Due August 2016 (Extended to January 2017)
Give presentation to Senior Staff.	Due August 2016 (Extended to January 2017)
Action Plan Closeout.	Due December 2016 (Extended to January 2017)



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET **A7**

Date of EPC Meeting: February 16, 2017

Subject: Year end Results for EPC Staff's Performance Measure Goals for 2016

Agenda Section: Consent Agenda

Division: Executive Director Report

Recommendation: None – Informational Only

Brief Summary: As part of the EPC staff's strategic planning, the Agency measured key activities and set goals for 2016. These are tabulated and periodically presented to the Board in the consent agenda. This report represents the final summary for 2016 and shows that staff met all their goals.

Financial Impact: No Financial Impact.

Background: The Agency measures performance for all five of its core functions. These core functions include permitting, compliance assurance, citizen support & outreach, enforcement, and ambient air & water quality monitoring. As part of the Agency's annual evaluation, staff sets goals for select activities and reports them periodically to the Board. This is an integral part of the continuous improvement required by the Agency's strategic planning.

List of Attachments: Table Titled 2016 Goals

2016 Goals

Core Function	Measure	Pre-Sterling Year (2009)	2013	2014	2015	2016	2016 Goal
Permitting	Average Time to Issue an Intent for State Construction Permits	57 days	29 days	20 days	18 days	17 days	Less Than or Equal to 35 days
	Average Time to Issue an Intent for Tampa Port Authority Permits	56 days	46 days	55 days	45 days	44 days	Less Than or Equal to 55 days
	Average Time EPC Permits were In-house	21 days	17 days	19 days	23 days	22 days	Less Than or Equal to 25 days
Compliance	Timely Resolution of Lower Level Non-Compliance Cases	92%	92%	93%	92%	93%	Greater Than or Equal to 90%
Environmental Complaints	Timely Initiation of Investigation	99% in 5 Days	99% in 5 Days	99% in 5 Days	98% in 3 Days	98% in 3 Days	Greater Than or Equal to 90% in 3 Days
Enforcement	Timely Initiation of Enforcement	73%	94%	96%	100%	95%	Greater Than or Equal to 90%



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET C1

Date of EPC Meeting: February 16, 2017

Subject: Private Sewage Lift Station Presentation

Agenda Section: Regular Agenda

Division: Water Management Division

Recommendation: Informational Report

Brief Summary: Staff will provide a presentation on an Advanced Leadership Development Project (ADLP) regarding private sewage lift stations

Financial Impact: No Financial Impact

Background: Staff will provide a presentation on an Advanced Leadership Development Program (ADLP) project regarding EPC response to private sewage lift station complaints, examples of recent cases that show the operational problems frequently encountered with lift stations that result in overflows and water pollution, and outreach efforts by EPC to help property owners better maintain their systems.

List of Attachments: None



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

C2

Date of EPC Meeting: February 16, 2017

Subject: Request to hold a public hearing on April 20, 2017 to approve amendments to the Storage Tank Rule, Chapter 1-12, Rules of the EPC

Agenda Section: Regular Agenda

Division: Legal and Administrative Services Division

Recommendation: Authorize staff to initiate rulemaking and conduct a public hearing at the Commission meeting on April 20, 2017, at 9 a.m., to consider amendments to the Storage Tank Rule, Chp. 1-12, Rules of the EPC

Brief Summary: Pursuant to the EPC Act, the Commission must hold a noticed public hearing to approve or amend a rule. The EPC staff requests that the Commission approve scheduling a public hearing during its regularly scheduled meeting on April 20, 2017, at 9 a.m. to consider amendments to the Chp. 1-12, EPC Storage Tank Rule. The rule amendment is required in order to incorporate recent amendments to the Florida Department of Environmental Protection's Storage Tank Rules Chapters 62-761 and 62-762, F.A.C. The EPC must amend its local rules to incorporate the changes to continue its contracted Storage Tank program.

Financial Impact: No Financial Impact

Background: Since 1988 the EPC and the Florida Department of Environmental Protection (FDEP) have entered into a contract for the EPC to conduct storage tank compliance and enforcement in Hillsborough County. In accordance with the contract, the EPC adopted the EPC Storage Tank Rule Chapter 1-12, which includes the relevant sections of the State storage tank rules found in Chapters 62-761 and 62-762, Florida Administrative Code (F.A.C.). On January 11, 2017 the FDEP amended its storage tank rules. The EPC must now amend its local regulations to incorporate by reference the applicable rules adopted by the FDEP. The EPC staff is requesting the Commission conduct a public hearing to consider adoptions of the amended Chapters 62-761 and 62-762, F.A.C. in Chapter 1-12, Rules of the EPC. The EPC must amend its local rules to incorporate the State's changes to continue its contracted Storage Tank program.

Pursuant to Section 5.2 of the Hillsborough County Environmental Protection Act (EPC Act), the Commission must hold a noticed public hearing to approve a rule or rule amendment. The EPC staff requests that the Commission approve scheduling a rule amendment public hearing during its regularly scheduled meeting on April 20, 2017, at 9:00 a.m. A draft of the proposed rule amendment that incorporates the new State rules will be made available to the Commissioners and public weeks before the April meeting.

List of Attachments: None



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

C3

Date of EPC Meeting: February 16, 2017

Subject: Request for letters from Commission opposing proposed legislation regarding local government preemption and mangrove trimming and removal.

Agenda Section: Regular Agenda

Division: Legal and Administrative Services Division

Recommendation: Authorize Chair to execute two letters opposing the two bills and to authorize staff to oppose the bills.

Brief Summary: HB 419 allows a property owner to alter or trim up to 70% of the mangroves along the owner's shoreline if the owner voluntarily planted the mangroves. The bill would be harmful to shoreline stability and water quality in Hillsborough County. HB 17 preempts to the State of Florida, regulations, licenses, fees, etc. concerning businesses, professions, and occupations and repeals all local regulation of those entities unless the legislature specifically allows a local government to have a regulation. The proposed preemption applies to environmental regulations as well as a vast array of other home rule authority. EPC staff request the Commission oppose both bills.

Financial Impact: None

Background:

The 2017 Florida Legislative session runs from March 7 to May 5, 2017. Legislators have begun to file bills and two recent filings give rise to concern for local governments and environmental regulators. EPC staff requests that the Commission formally oppose the following two bills.

1) HOUSE BILL 419 - PERMITS FOR MANGROVE ALTERATION AND TRIMMING

Status: Natural Resources & Public Lands Subcommittee

Effective Date: July 1, 2017

Sponsored by: Rep. Altman

[HB 419](#) creates a new mangrove authorization that allows a residential property of 5 acres or less to alter or trim mangroves the owner has voluntarily planted. It allows the owner to alter or trim up to 70% of the mangroves along the owner's shoreline. The bill would be harmful to shoreline stability and water quality, as the term "alter" is broadly defined and includes total destruction/removal of the mangroves. Current State mangrove trimming laws potentially allow for up to 65% of a shoreline to be trimmed under a permit and the EPC delegated program allows for up to 33% of the area to be trimmed, however the trimming must be conducted in stages to avoid defoliation and death of the mangrove; this bill does not require phased trimming and allows complete removal. Additionally, the element of "planted voluntarily" would be extremely difficult for an agency to dispute.

The bill is currently in the House Natural Resources & Public Lands Subcommittee and is also assigned to Government Accountability Committee and Agriculture & Natural Resources Appropriations Subcommittee. There is no Senate companion bill yet. EPC staff recommends opposition to this bill to protect the integrity of our shorelines, especially during extreme weather events, and to protect the water quality in Hillsborough County.

2) HOUSE BILL 17 - LOCAL REGULATION PREEMPTION

Status: Filed January 31, 2017

Effective Date: July 1, 2017

Sponsored by: Rep. Fine

[HB 17](#) (attached) proposes broad preemption of local government regulation of businesses via permits, license, fees, etc. It states that “After January 1, 2017, a local government may not adopt or impose a new regulation on a business, profession, and occupation unless the regulation is expressly authorized by general law.” Thus, it is a sweeping preemption to the State of Florida of regulations, licenses, fees, etc. concerning businesses, professions, and occupations. The bill states that current local regulations not expressly authorized by general law are temporarily grandfathered, but would expire by January 1, 2020. Only local government rules expressly authorized by general law may continue to be applied after January 1, 2020. Staff needs to inquire further, but EPC rules are authorized by special act, which may be distinguished from “general law.” If so, all EPC local regulations affecting businesses would be rendered void after January 1, 2020. This could impact many non-environmental local regulations also. There is no Senate companion and no committee assignments yet. EPC staff requests the Commission oppose this legislation.

EPC staff requests that the EPC Commission oppose both bills, authorize the Chair to sign opposition letters, and authorize staff to oppose the legislation.

1 A bill to be entitled
 2 An act relating to local regulation preemption;
 3 providing definitions; prohibiting certain local
 4 governments from imposing or adopting certain
 5 regulations on businesses, professions, and
 6 occupations after a certain date; preempting the
 7 regulation of businesses, professions, and occupations
 8 to the state; providing exceptions to such preemption;
 9 providing an effective date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Regulation of businesses, professions, and
 14 occupations preempted to the state.-

15 (1) DEFINITIONS.-As used in this section:

16 (a) "Local government" means a county, municipality,
 17 special district, school district, or political subdivision of
 18 the state.

19 (b) "Regulation" means a rule or regulation, license,
 20 permit, or requirement and includes, but is not limited to, a
 21 regulatory fee, license fee, or permit fee.

22 (2) LOCAL GOVERNMENT REGULATION.-After January 1, 2017, a
 23 local government may not adopt or impose a new regulation on a
 24 business, profession, and occupation unless the regulation is
 25 expressly authorized by general law.

26 (3) PREEMPTION OF REGULATION TO THE STATE.-

27 Notwithstanding any law to the contrary, this section expressly
28 preempts the regulation of businesses, professions, and
29 occupations to the state and supersedes any local government
30 regulation of businesses, professions, and occupations with the
31 exception of the following:

32 (a) A regulation adopted prior to January 1, 2017, without
33 general law authority. Any such regulation expires on January 1,
34 2020.

35 (b) A regulation expressly authorized by general law.

36 (4) EXISTING REGULATION LIMIT.-A local government with a
37 local regulation concerning a business, profession, or
38 occupation that is retained pursuant to paragraph (3)(a) may not
39 impose additional regulations on that business, profession, or
40 occupation or modify such regulation except to repeal or reduce
41 the regulation.

42 (5) REGULATIONS NOT AUTHORIZED.-A local regulation that is
43 not authorized under this section or expressly authorized by
44 general law does not apply and may not be enforced.

45 Section 2. This act shall take effect July 1, 2017.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

C4

Date of EPC Meeting: February 16, 2017

Subject: Discussion of EPC Wetland Program and added benefit to National Flood Insurance Program (NFIP) Community Rating System

Agenda Section: Regular Agenda

Division: Legal and Administrative Services Division

Recommendation: Informational Report Only

Brief Summary: Staff will explain the added benefit of the EPC Wetland Rule for purposes of the Hillsborough County Community Rating System (CRS) scoring under the National Flood Insurance Program. The EPC Wetland Rule Chapter 1-11, provides, among other benefits, the requirement to preserve wetland mitigation areas in a perpetual conservation easement. These preserved open spaces, which are generally found in floodplains, may be considered by the Federal government in the calculation for the CRS rating which provides for discounts of flood insurance premiums in Hillsborough County.

Financial Impact: No Financial Impact

Background:

The EPC Wetland Rule Chapter 1-11 can provide benefits to Hillsborough County and the three municipalities under the National Flood Insurance Program's Community Rating System (CRS). The CRS recognizes and encourages community floodplain management activities that exceed the minimum National Flood Insurance Program standards. Depending upon the level of participation, flood insurance premium rates for policyholders can be reduced up to 45% within a jurisdiction that implements certain floodplain management activities. Besides the benefit of reduced insurance rates, CRS floodplain management activities enhance public safety, reduce damages to property and public infrastructure, avoid economic disruption and losses, reduce human suffering, and protect the environment. Currently Hillsborough County is a Class 6 community, and this provides a 20% discount to all flood insurance premiums for residents within the Special Flood Hazard Area (SFHA). The EPC Wetland Rule provides, among other considerations, for open space preservation in the form of the conservation easements over mitigation areas exceeding one half acre. EPC staff is working toward GIS mapping of all of its mitigation conservation easements. Once these maps are completed, they can be presented for consideration for even higher citizen discounts under the "Open Space Preservation" activity section of the CRS.

List of Attachments: None