

**EPC COMMISSIONERS**

Lesley "Les" Miller, Jr., *Chair*  
Victor D. Crist, *Vice Chair*  
Kevin Beckner  
Ken Hagan  
Al Higginbotham  
Sandra L. Murman  
Mark Sharpe



Richard Garrity, Ph.D.  
*Executive Director*

Richard Tschantz, Esq.  
*General Counsel*

**EPC MEETING AGENDA**  
***FEBRUARY 20, 2014***

*Meetings commence at 9:00 a.m.*

*601 East Kennedy Boulevard, Tampa, FL*

*County Center Board Room 2<sup>nd</sup> Floor*

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**APPROVAL OF CHANGES TO THE AGENDA**

**REMOVAL OF CONSENT AGENDA ITEMS FOR QUESTIONS, COMMENTS, or SEPARATE VOTE**

**I. PUBLIC COMMENT**

Three (3) Minutes Are Allowed for Each Speaker (unless the Commission directs differently)

**II. CITIZENS' ENVIRONMENTAL ADVISORY COMMITTEE**

Summary of recent CEAC meeting by CEAC Chair

**III. CONSENT AGENDA**

A. Approval of Minutes: December 19, 2013 .....	3
B. Monthly Activity Reports – December 2013& January 2014 .....	7
C. Pollution Recovery Fund Reports – December 2013 & January 2014 .....	19
D. Gardinier Settlement Trust Fund Report – December 2013 & January 2014.....	21
E. Legal Case Summary, February 2014.....	23
F. 2013 Year's End Action Plan Updates .....	27

**IV. LEGAL & ADMINISTRATIVE SERVICES DIVISION**

A. Status Update on Settlement Negotiations regarding the <u>Baldor vs EPC</u> Boatlift Permitting Appeal (EPC Case No. 12-EPC-015) .....	41
B. Legislative Update .....	43

**V. WATER MANAGEMENT DIVISION**

A. Summary of Florida Department of Environmental Protection (FDEP) Audit of Water Division Delegated Program.....	47
B. Advertisement for 2014 Pollution Recovery Fund (PRF) Grant Projects.....	47

**VI. EXECUTIVE DIRECTOR REPORT**

A. EPC Action Plans for 2014.....	49
B. FY 15 Budget Report.....	51

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.

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DECEMBER 19, 2013 - ENVIRONMENTAL PROTECTION COMMISSION - DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting scheduled for Thursday, December 19, 2013, at 9:00 a.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida.

The following members were present: Chairman Lesley Miller Jr. and Commissioners Kevin Beckner, Victor Crist (arrived at 9:05 a.m.), Ken Hagan, Al Higginbotham, Sandra Murman, and Mark Sharpe (arrived at 9:05 a.m.).

▶ Chairman Miller called the meeting to order at 9:02 a.m.

▶ INVOCATION AND PLEDGE OF ALLEGIANCE

CHANGES TO THE AGENDA

▶ Dr. Richard Garrity, EPC Executive Director, stated there were no changes to the agenda.

I. PUBLIC COMMENT - ▶ None.

II. CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE (CEAC)

Summary of recent CEAC meeting by CEAC Chairman

▶ Dr. Garrity shared current CEAC activities.

III. CONSENT AGENDA

A. Approval of Minutes: October 17, 2013.

B. Monthly Activity Reports - October and November 2013.

C. Pollution Recovery Fund Reports - October and November 2013.

D. Gardinier Settlement Trust Fund Report - October and November 2013.

E. Legal Case Summary, December 2013.

▶ Chairman Miller sought approval of the Consent Agenda. **Commissioner Murman so moved, seconded by Commissioner Beckner, and carried five to zero.** (Commissioners Crist and Sharpe had not arrived.)

IV. OFFICE OF SUSTAINABILITY

County Electric Car Charging Fee Rates

▶ Ms. Margaret Rush, EPC, reviewed a presentation provided in background material and sought staff recommendation approval. ▶ Commissioner Beckner asked about increasing the number of charging stations, cost distribution, voltage costs/time requirements, and city of Tampa progress. ▶ **Commissioner Murman moved approval, seconded by Commissioner Sharpe, and carried seven to zero.**

V. EXECUTIVE DIRECTOR REPORT

Sterling Challenge Feedback and Strategic Planning for 2014

▶ Dr. Garrity outlined the report in background material. ▶ No action was required.

VI. REPORT ON EPC OUTREACH EFFORTS TO SCHOOLS

▶ Mr. Hooshang Boostani, Director, EPC, Waste Management Division, introduced the item, Public Information and Education Outreach Committee (Outreach Committee) members, and ▶ Ms. Jessica Lopez, chairman, Outreach Committee, who shared an educational outreach presentation. ▶ Commissioner Crist appreciated staff efforts.

VII. WASTE MANAGEMENT DIVISION

Cleanup and Tanks Compliance Program Legislative Budget Issues

▶ Mr. Boostani relayed an update contained in background material.

VIII. WETLANDS MANAGEMENT DIVISION

A. Progress Report on Additional Delegation from state of Florida Agencies

▶ Dr. Scott Emery, Director, EPC Wetlands Management Division, gave the report in background material.

B. Baldor vs. EPC - Boatlift Permitting Appeal (EPC Case 12-EPC-015) - Status Update on Settlement Negotiations

▶ Dr. Emery shared progress on the case.

THURSDAY, DECEMBER 19, 2013 - DRAFT MINUTES

IX. LEGAL AND ADMINISTRATIVE SERVICES

EPC Executive Director's Annual Evaluation

▶ Attorney Richard Tschantz, EPC General Counsel, reviewed the item. ▶  
**Commissioner Higginbotham moved to accept, seconded by Commissioner Murman, and carried six to zero.** (Commissioner Hagan was out of the room.)

▶ There being no further business, the meeting was adjourned at 9:53 a.m.

READ AND APPROVED: \_\_\_\_\_

CHAIRMAN

ATTEST:

PAT FRANK, CLERK

By: \_\_\_\_\_  
Deputy Clerk

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DRAFT

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**FY 14 - MONTHLY ACTIVITIES REPORT  
AIR MANAGEMENT DIVISION**

		<u>DEC</u>	<u>JAN</u>
<b>A. Public Outreach/Education Assistance</b>			
1	Phone calls	140	141
2	Literature Distributed	20	20
3	Presentations	3	2
4	Media Contacts	0	0
5	Internet	39	49
6	Host/Sponsor Workshops, Meetings, Special Events	0	0
<b>B. Industrial Air Pollution Permitting</b>			
1	Permit Applications received (Counted by Number of Fees Received)		
	a. Operating	5	9
	b. Construction	10	0
	c. Amendments / Transfers / Extensions	0	4
	d. Title V Operating:	3	0
	e. Permit Determinations	1	1
	f. General	2	3
2	Delegated Permits Issued by EPC and Non-delegated Permits Recommended to DEP for Approval ( <sup>1</sup> Counted by Number of Fees Collected)-( <sup>2</sup> Counted by Number of Emission Units affected by the Review):		
	a. Operating <sup>1</sup>	13	5
	b. Construction <sup>1</sup>	2	5
	c. Amendments / Transfers / Extensions <sup>1</sup>	1	1
	d. Title V Operating <sup>2</sup>	9	0
	e. Permit Determinations <sup>2</sup>	3	0
	f. General	2	4
3	Intent to Deny Permit Issued	0	0
<b>C. Administrative Enforcement</b>			
1	New cases received	0	0
2	On-going administrative cases		
	a. Pending	0	0
	b. Active	5	4
	c. Legal	1	1
	d. Tracking compliance (Administrative)	9	9
	e. Inactive/Referred cases		0
	<b>TOTAL</b>	<b>15</b>	<b>14</b>
3	NOIs issued	0	0
4	Citations issued	0	0
5	Consent Orders Signed	0	1
6	Contributions to the Pollution Recovery Fund	\$0.00	\$3,400.00
7	Cases Closed		1

**FY 14 - MONTHLY ACTIVITIES REPORT  
AIR MANAGEMENT DIVISION**

DEC                      JAN

**D. Inspections**

1	Industrial Facilities	7	22
2	Air Toxics Facilities		
	a. Area Sources (i.e. Drycleaners, Chrome Platers, etc.)	0	0
	b. Major Sources	2	11
3	Asbestos Demolition/Renovation Projects	17	18
<b>E.</b>	<b>Open Burning Permits Issued</b>	3	3
<b>F.</b>	<b>Number of Division of Forestry Permits Monitored</b>	218	148
<b>G.</b>	<b>Total Citizen Complaints Received</b>	39	20
<b>H.</b>	<b>Total Citizen Complaints Closed</b>	38	15
<b>I.</b>	<b>Noise Complaints Received by EPC (Chapter 1-10)</b>	17	6
<b>J.</b>	<b>Noise Complaints Received by Sheriff's Office (County Ord. #12-12)</b>	522	350
<b>K.</b>	<b>Number of cases EPC is aware that both EPC &amp; Sheriff responded</b>	0	1
	a. World of Beers (Oct.)		
	b. Brass Mug (Dec.)		
	c. The Rack (Jan.)		
	d. Brass Mug (Feb.)		
<b>L.</b>	<b>Noise Sources Monitored:</b>	1	0
<b>M.</b>	<b>Air Program's Input to Development Regional Impacts:</b>	0	1
<b>N.</b>	<b>Test Reports Reviewed:</b>	50	56
<b>O.</b>	<b>Compliance:</b>		
1	Warning Notices Issued	5	4
2	Warning Notices Resolved	2	1
3	Advisory Letters Issued	0	1
<b>P.</b>	<b>AOR'S Reviewed</b>	0	0
<b>Q.</b>	<b>Permits Reviewed for NESHAP Applicability</b>	5	1
<b>R.</b>	<b>Planning Documents coordinated for Agency Review</b>	1	7



**FY 14 - MONTHLY ACTIVITIES REPORT  
WASTE MANAGEMENT DIVISION**

**DEC      JAN**

**A. ENFORCEMENT**

1.	New cases received	2	-
2.	On-going administrative cases	58	58
	Pending	2	2
	Active	19	19
	Legal	3	3
	Tracking Compliance (Administrative)	31	31
	Inactive/Referred Cases	3	3
3.	NOI's issued	-	-
4.	Citations issued	-	1
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	0
2.	FDEP Permits Reviewed	0	0
3.	EPC Authorization for Facilities NOT Requiring DEP Permit	2	3
4.	Other Permits and Reports		
	County Permits Received	5	0
	County Permits Reviewed	5	0
	Reports Received (SW/HW + SQG)	15	27
	Reports Reviewed (SW/HW + SQG)	15	28
5.	Inspections (Total)		
	Complaints (SW/HW + SQG)	15	20
	Compliance/Reinspections (SW/HW + SQG)	10	19
	Facility Compliance	16	25
	Small Quantity Generator Verifications	4	104
	P2 Audits	0	0
6.	Enforcement (SW/HW + SQG)		
	Complaints Received	16	21
	Complaints Closed	14	14
	Warning Notices Issued	2	2
	Warning Notices Closed	1	2
	Compliance Letters	6	58
	Letters of Agreement	0	0
	Agency Referrals	1	4
7.	Pamphlets, Rules and Material Distributed	14	46

**C. STORAGE TANK COMPLIANCE**

1.	Inspections		
	Compliance	60	41
	Installation	3	4
	Closure	2	4
	Compliance Re-Inspections	3	2
2.	Installation Plans Received	7	3

**FY 14 - MONTHLY ACTIVITIES REPORT  
WASTE MANAGEMENT DIVISION**

	<u>DEC</u>	<u>JAN</u>
3. Installation Plans Reviewed	2	2
4. Closure Plans & Reports		
Closure Plans Received	2	5
Closure Plans Reviewed	2	4
Closure Reports Received	-	-
Closure Reports Reviewed	1	2
5. Enforcement		
Non-Compliance Letters Issued	59	24
Warning Notices Issued	-	-
Warning Notices Closed	-	-
Cases Referred to Enforcement	-	-
Complaints Received	1	-
Complaints Investigated	-	-
Complaints Referred	-	-
6. Discharge Reporting Forms Received	-	-
7. Incident Notification Forms Received	1	-
8. Cleanup Notification Letters Issued	-	-

**D. STORAGE TANK CLEANUP**

1. Inspections	41	41
2. Reports Received	62	50
3. Reports Reviewed	50	54
Site Assessment Received	10	8
Site Assessment Reviewed	9	9
Source Removal Received	4	6
Source Removal Reviewed	2	6
Remedial Action Plans (RAP'S) Received	4	5
Remedial Action Plans (RAP'S) Reviewed	4	1
Site Rehabilitation Completion Order/No Further Action Rec'd	1	5
Site Rehabilitation Completion Order/No Further Action Revw'd	1	4
Active Remediation/Monitoring Received	22	21
Active Remediation/Monitoring Reviewed	18	25
Others Received	21	5
Others Reviewed	16	9

**E. RECORD REVIEWS**

18	24
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**F. LEGAL PIR'S**

11	13
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**FY 14 - MONTHLY ACTIVITIES REPORT  
WATER MANAGEMENT DIVISION**

		<u>DEC</u>	<u>JAN</u>
<b>A. ENFORCEMENT</b>			
1.	New Enforcement Cases Received	1	2
2.	Enforcement Cases Closed	-	3
3.	Enforcement Cases Outstanding	27	27
4.	Enforcement Documents Issued	1	3
5.	Recovered Costs to the General Fund	\$2,178	\$ 180
6.	Contributions to the Pollution Recovery Fund	\$8,500	\$ -
<b>B. PERMITTING/PROJECT REVIEW - DOMESTIC</b>			
1.	Permit Applications Received	<b>20</b>	<b>14</b>
	a. Facility Permit	6	1
	(i) Types I and II	2	-
	(ii) Type III	4	1
	b. Collection Systems - General	8	5
	c. Collection systems-Dry Line/Wet Line	6	8
	d. Residuals Disposal	-	-
2.	Permit Applications Approved	<b>28</b>	<b>20</b>
	a. Facility Permit	3	4
	b. Collection Systems - General	6	2
	c. Collection systems-Dry Line/Wet Line	4	9
	d. Residuals Disposal	-	-
	e. Final Construction Approval	15	5
3.	Permit Applications Recommended for Disapproval	-	1
	a. Facility Permit	-	-
	b. Collection Systems - General	-	1
	c. Collection systems-Dry Line/Wet Line	-	-
	d. Residuals 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. Residuals Disposal	-	-
6.	Permit Applications Outstanding	<b>20</b>	<b>19</b>
	a. Facility Permit	11	8
	b. Collection Systems - General	2	5
	c. Collection systems-Dry Line/Wet Line	7	6
	d. Residuals Disposal	-	-
7.	Permit Determination	1	5
8.	Special Project Reviews	-	-

**FY 14 - MONTHLY ACTIVITIES REPORT  
WATER MANAGEMENT DIVISION**

		<u>DEC</u>	<u>JAN</u>
	a. Reuse	-	-
	b. Residuals/AUPs	-	-
	c. Others	-	-
<b>C. INSPECTIONS - DOMESTIC</b>			
1.	Compliance Evaluation	<b>13</b>	<b>9</b>
	a. Inspection (CEI)	4	6
	b. Sampling Inspection (CSI)	9	3
	c. Toxics Sampling Inspection (XSI)	-	-
	d. Performance Audit Inspection (PAI)	-	-
2.	Reconnaissance	<b>34</b>	<b>41</b>
	a. Inspection (RI)	10	13
	b. Sample Inspection (SRI)	2	-
	c. Complaint Inspection (CRI)	21	26
	d. Enforcement Inspection (ERI)	1	2
3.	Engineering Inspections	<b>19</b>	<b>18</b>
	a. Reconnaissance Inspection (RI)	3	1
	b. Sample Reconnaissance Inspection (SRI)	-	-
	c. Residual Site Inspection (RSI)	-	-
	d. Preconstruction Inspection (PCI)	-	2
	e. Post Construction Inspection (XCI)	16	15
	f. On-site Engineering Evaluation	-	-
	g. Enforcement Reconnaissance Inspection (ERI)	-	-
<b>D. PERMITTING/PROJECT REVIEW - INDUSTRIAL</b>			
1.	Permit Applications Received	<b>2</b>	<b>1</b>
	a. Facility Permit	2	1
	(i) Types I and II	-	-
	(ii) Type III with Groundwater Monitoring	-	-
	(iii) Type III w/o Groundwater Monitoring	2	1
	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	3	2
3.	Special Project Reviews	1	-
	a. Facility Permit	1	-
	b. General Permit	-	-
4.	Permitting Determination	-	-
5.	Special Project Reviews	<b>37</b>	<b>25</b>

**FY 14 - MONTHLY ACTIVITIES REPORT  
WATER MANAGEMENT DIVISION**

		<u>DEC</u>	<u>JAN</u>
	a. Phosphate	7	2
	b. Industrial Wastewater	9	6
	c. Others	21	17
<b>E. INSPECTIONS - INDUSTRIAL</b>			
1.	Compliance Evaluation (Total)	<b>10</b>	<b>11</b>
	a. Inspection (CEI)	10	10
	b. Sampling Inspection (CSI)	-	1
	c. Toxics Sampling Inspection (XSI)	-	-
	d. Performance Audit Inspection (PAI)	-	-
2.	Reconnaissance (Total)	<b>12</b>	<b>8</b>
	a. Inspection (RI)	1	2
	b. Sample Inspection (SRI)	-	-
	c. Complaint Inspection (CRI)	11	4
	d. Enforcement Inspection (ERI)	-	2
3.	Engineering Inspections (Total)	7	7
	a. Compliance Evaluation (CEI)	7	6
	b. Sampling Inspection (CSI)	-	-
	c. Performance Audit Inspection (PAI)	-	-
	d. Complaint Inspection (CRI)	-	-
	e. Enforcement Reconnaissance Inspections (ERI)	-	1
<b>F. INVESTIGATION/COMPLIANCE</b>			
1.	Citizen Complaints		
	a. Domestic	<b>23</b>	<b>22</b>
	(i) Received	13	16
	(ii) Closed	10	8
	b. Industrial	<b>15</b>	<b>11</b>
	(i) Received	9	4
	(ii) Closed	6	7
2.	Warning Notices		
	a. Domestic	<b>5</b>	<b>4</b>
	(i) Issued	3	2
	(ii) Closed	2	2
	b. Industrial	-	<b>1</b>
	(i) Issued	-	1
	(ii) Closed	-	-
3.	Non-Compliance Advisory Letters	10	7
4.	Environmental Compliance Reviews	<b>101</b>	<b>115</b>
	a. Industrial	22	10
	b. Domestic	106	105

**FY 14 - MONTHLY ACTIVITIES REPORT  
WATER MANAGEMENT DIVISION**

		<u>DEC</u>	<u>JAN</u>
	5. Special Project Reviews	6	
<b>G. RECORD REVIEWS</b>			
	1. Permitting Determination	1	2
	2. Enforcement	-	-
<b>H. ENVIRONMENTAL SAMPLES ANALYZED/REPORTS REVIEWED (LAB)</b>			
	1. Air division	48	66
	2. Waste Division	-	-
	3. Water Division	14	23
	4. Wetlands Division	-	-
	5. ERM Division	185	166
	6. Biomonitoring Reports	4	2
	7. Outside Agency	25	17
<b>I. SPECIAL PROJECT REVIEWS</b>			
	1. DRIs	-	1
	2. ARs	-	-
	3. Technical Support	-	-
	4. Other	1	5

**FY 14 - MONTHLY ACTIVITIES REPORT  
WETLANDS MANAGEMENT DIVISION**

**DEC      JAN**

**ASSESSMENT REPORT**

**Agriculture Exemption Report**

# Agricultural Exemptions Reviews	-	-
# Isolated Wetlands Impacted	-	-
# Acres of Isolated Wetlands Impacted	-	-
# Isolated Wetlands qualify for Mitigation Exemption	-	-
# Acres of Wetlands qualify for Mitigation Exemption	-	-

**Development Services Reviews Performance Report**

# of Reviews	71	70
Timeframes Met	100%	97%
Year to Date	98%	98%

**Formal Wetland Delineation Surveys**

Projects	12	11
Total Acres	82	152
Total Wetland Acres	19	21
# Isolated Wetlands < 1/2 Acre	3	2
Isolated Wetland Acreage	0.86	0.16

**Construction Plans Approved**

Projects	19	20
Total Wetland Acres	159	86
# Isolated Wetlands < 1/2 Acre	4	9
Isolated Wetland Acreage	1.82	1.79
Impacts Approved Acreage	0.64	1.5
Impacts Exempt Acreage	0.31	1.5

**Mitigation Sites in Compliance**

Ratio	6/7	9/10
Percentage	86%	90%

**Compliance Actions**

Acreage of Unauthorized Wetland Impacts	0.50	0.70
Acreage of Water Quality Impacts	0.00	0.00
Acreage Restored	0.2	0.60

**TPA Minor Work Permit**

Permit Issued	12	15
Permits Issued Fiscal Year 2014	53	68
Cumulative Permits Issue Since TPA Delegation (07/09)	851	866

**REVIEW TIMES**

# of Reviews	263	287
% On Time	93%	92%
% Late	7%	8%

**FY 14 - MONTHLY ACTIVITIES REPORT  
WETLANDS MANAGEMENT DIVISION**

**DEC      JAN**

**A. General**

1.	Telephone conferences	664	738
2.	Unscheduled Citizen Assistance	320	358
3.	Scheduled Meetings	332	500
4.	Correspondence	1,748	2,276
1/ 5.	Interagency Coordination	78	110
1/ 6.	Trainings	30	10
1/ 7.	Public Outreach/Education	1	-
1/ 8.	Quality Control	78	215

**B. Assessment Reviews**

1.	Wetland Delineations	20	28
2.	Surveys	14	12
3.	Miscellaneous Activities in Wetland	20	11
4.	Mangrove	4	3
5.	Notice of Exemption	2	1
6.	Impact/Mitigation Proposal	7	3
7.	Tampa Port Authority Reviews	63	92
8.	Wastewater Treatment Plants (FDEP)	-	-
9.	Development Regn'l Impact (DRI) Annual Report	-	1
10.	On-Site Visits	104	113
11.	Phosphate Mining	-	6
12.	Comp Plan Amendment (CPA)	-	-
1/ 13.	AG SWM	-	-
	Sub-Total		

**Planning and Growth Management Review**

14.	Land Alteration/Landscaping	-	1
15.	Land Excavation	-	1
16.	Rezoning Reviews	19	20
17.	Site Development	19	25
18.	Subdivision	30	31
19.	Wetland Setback Encroachment	-	-
20.	Easement/Access-Vacating	-	-
21.	Pre-Applications	21	45
1/ 22.	Agriculture Exemption	-	2
	Sub-Total		
	<b>Total Assessment Review Activities</b>		

**C. Investigation and Compliance**

1.	Warning Notices Issued	3	7
2.	Warning Notices Closed	2	6
1/ 3.	Complaints Closed	32	22
4.	Complaint Inspections	33	26
5.	Return Compliance Inspections for Open Cases	24	-



**FY 14 - MONTHLY ACTIVITIES REPORT  
WETLANDS MANAGEMENT DIVISION**

		<u>DEC</u>	<u>JAN</u>
6.	Mitigation Monitoring Reports	14	8
7.	Mitigation Compliance Inspections	17	14
8.	Erosion Control Inspections	-	10
9.	MAIW Compliance Site Inspections	2	4
10.	TPA Compliance Site Inspections	18	18
2/ 11	Mangrove Compliance Site Inspections	9	-
1/ 12	Conservation Easement Inspection	1	1

**D. Enforcement**

1.	Active Cases	12	10
2.	Legal Cases	4	3
3.	Number of "Notice of Intent to Initiate Enforcement"	4	1
4.	Number of Citations Issued	-	-
5.	Number of Consent Orders Signed	1	3
6.	Administrative - Civil Cases Closed	4	4
7.	Cases Referred to Legal Department	4	3
8.	Contributions to Pollution Recovery	\$4,225	\$ 1,498
9.	Enforcement Costs Collected	\$ 423	\$ 217

**E. Ombudsman**

1.	Agriculture	3	4
2.	Permitting Process & Rule Assistance	2	7
3.	Staff Assistance	2	9
4.	Citizen Assistance	5	6

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**ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY  
FY 14 POLLUTION RECOVERY FUND  
10/1/2013 through 12/31/2013**

REVENUE		EXPENDITURES		RESERVES		NET PRF
Beginning Balance	\$ 553,605	Artificial Reef	\$ 24,439	Minimum Balance	\$ 120,000	
Interest	\$ 582	Project Monitoring	\$ 179	PROJ. FY 15 Budgets	\$ 24,618	
Deposits	\$ 16,740	FY 14 Projects	\$ -	Asbestos Removal	\$ 5,000	
Refunds	\$ -					
Total	\$ 570,927	Total	\$ 24,618	Total	\$ 149,618	\$ 396,691



PROJECT		Project Amount	Project Balance
<b>FY 12 Projects</b>			
Bahia Beach Mangrove Enhancement	EPE30449	\$ 56,700	\$ 56,700
Fertilizer Rule Implementation	EPE40206	\$ 50,000	\$ 16,282
USGS Partnership	EPE30450	\$ 25,000	\$ 18,750
		\$ 131,700	\$ 91,732
<b>FY 13 Projects</b>			
USF Fertilizer Study Peer Review	EPE40207	\$ 25,000	\$ 25,000
Community Partnering Program	EPE06019	\$ 15,000	\$ 15,000
		\$ 40,000	\$ 40,000
<b>FY 14 Projects</b>			
		\$ -	\$ -
			\$ 131,732

**ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY  
FY 14 POLLUTION RECOVERY FUND  
10/1/2013 through 1/31/2014**

REVENUE		EXPENDITURES		RESERVES		NET PRF
Beginning Balance	\$ 553,605	Artificial Reef	\$ 24,439	Minimum Balance	\$ 120,000	
Interest	\$ 582	Project Monitoring	\$ 179	PROJ. FY 15 Budgets	\$ 24,618	
Deposits	\$ 22,138	FY 14 Projects	\$ -	Asbestos Removal	\$ 5,000	
Refunds	\$ -					
Total	\$ 576,324	Total	\$ 24,618	Total	\$ 149,618	\$ 402,088



PROJECT		Project Amount	Project Balance
<b>FY 12 Projects</b>			
Bahia Beach Mangrove Enhancement	EPE30449	\$ 56,700	\$ 56,700
Fertilizer Rule Implementation	EPE40206	\$ 50,000	\$ 9,087
USGS Partnership	EPE30450	\$ 25,000	\$ 18,750
		\$ 131,700	\$ 84,537
<b>FY 13 Projects</b>			
USF Fertilizer Study Peer Review	EPE40207	\$ 25,000	\$ 25,000
Community Partnering Program	EPE06019	\$ 15,000	\$ 15,000
		\$ 40,000	\$ 40,000
<b>FY 14 Projects</b>			
		\$ -	\$ -
			\$ 124,537

**ENVIRONMENTAL PROTECTION COMMISSION  
 OF HILLSBOROUGH COUNTY  
 FY 14 GARDINIER SETTLEMENT TRUST FUND  
 10/1/2013 - 12/31/2013**

Fund Balance as of 10/1/13		\$ 61,515
Interest Accrued		50
Disbursements FY 14		-
Fund Balance		\$ 61,565
Encumbrances Against Fund Balance:		
SP634 Cockroach Bay ELAPP Restoration		\$ 61,565
Total Encumbrances		\$ 61,565
Fund Balance Available		\$ 0

**ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY  
FY 14 GARDINIER SETTLEMENT TRUST FUND  
10/1/2013 - 1/31/2014**

Fund Balance as of 10/1/13	\$ 61,515
Interest Accrued	50
Disbursements FY 14	-
Fund Balance	<u>\$ 61,565</u>
Encumbrances Against Fund Balance:	
SP634 Cockroach Bay ELAPP Restoration	\$ 61,565
Total Encumbrances	<u>\$ 61,565</u>
Fund Balance Available	<u><u>\$ 0</u></u>



## *ENVIRONMENTAL PROTECTION COMMISSION*

### *AGENDA ITEM COVER SHEET*

**Date of EPC Meeting:** February 20, 2014

**Subject:** Monthly Legal Case Summary

**Agenda Section:** Consent Agenda

**Item:** 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. There is also a listing of cases where parties have asked for additional time in order to allow them to decide whether they will file an administrative challenge to an agency action (e.g. – permitting decision or enforcement order), while concurrently attempting to seek resolution of the agency action.

## EPC LEGAL DEPARTMENT MONTHLY REPORT *January and February 2014*

### I. ADMINISTRATIVE CASES

**James Baldor** [12-EPC-015]: On October 24, 2012, the Appellant, James Baldor, filed a request for an extension of time to file an Appeal challenging the Denial of Application for Minor Work Permit #53790. The extension has been granted and the Appellant filed an appeal in this matter on December 28, 2012. The appeal was transferred to a Hearing Officer on January 15, 2013, EPC filed a Motion for Summary Recommended Order and on February 20, 2013, the Hearing Officer ruled in favor of the EPC. The matter was heard at the August 15 2013 regular EPC meeting for consideration of a Final Order, however, the matter was continued to September with the intention of the scheduling a settlement meeting between the parties. During the September meeting a request was made to continue the matter. The continuance was granted, and the neighbors continue to discuss settlement. (AZ)

**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. (AZ)

**Tampa Electric Company, Polk Power Station, Polk 2-5 Combined Cycle Conversion Project:** [12-EPC-016]: EPC is a commenting agency and potential administrative party to this DEP power station siting certification permit application and hearing. (RT)

**Joseph and Jennifer Ferrante** [12-EPC-006]: On May 7, 2012 the EPC received a Request for Variance or Waiver from Joseph and Jennifer Ferrante. The Applicant is requesting a waiver from a provision within the Submerged Lands Management Rules of the Tampa Port Authority regarding setback encroachments. A public hearing is scheduled for September 20, 2012 to consider the variance. The hearing was continued until further notice. (AZ)

### II. CIVIL CASES

**PATCO Transports, LLC and Chip Investment 2:** On July 28, 2011, the EPC staff received authority to take legal action for various solid waste/landfill violations, specifically unauthorized construction on a historic landfill. The parties entered into a Consent Order on August 25, 2011 to address the violations, however, the Respondent has not complied with the terms of the Consent Order. The Respondent has, among other things, failed to perform landfill gas monitoring and submit monitoring reports. The EPC Legal Department is attempting to resolve the matter but the Respondent has failed to respond in any way. A lawsuit is being prepared. (AZ)

**Oak Hammock Ranch, LLC, James P. Gill, III, as Custodian** [12-EPC-018]: On December 28, 2012 EPC was served a lawsuit regarding the Upper Tampa Bay Trail Wetland Impact Approval. The EPC has filed its Answer and affirmative defenses to the lawsuit. (AZ)

**Greg and Karin Hart** [LEPC10-004]: On March 18, 2010 the Commission granted authority to take legal action against the Defendants Mr. and Mrs. Greg Hart for various impacts to wetlands that are violations of the EPC Act, Chapter 1-11 (Wetland Rule), and a conservation easement encumbering the Defendants' property. On March 29, 2010, the EPC filed a civil lawsuit in Circuit Court. The case was consolidated with a related Hillsborough County case seeking an injunction to remove fill from a drainage canal. A second mediation on January 21, 2011, resulted in a very limited partial settlement with EPC and full settlement with the County. A jury trial was held the week of September 19, 2011. The jury returned a verdict in favor of the EPC. Defendants filed a motion for new trial and an appeal of the jury verdict. The appeal was dismissed as premature and the request for a new trial was denied. The Defendants then appealed the denial of a new trial, which was dismissed. A hearing was held on February 13 and 23, 2012, to impose corrective actions and penalties. A Final Judgment Against Defendants was entered on March 5, 2012, requiring Defendants to restore the wetland and pay penalties. Defendants filed a Motion for Relief from Judgment dated May 22, 2012 and the court denied the motion on July 30, 2012. On July 31, 2012, the court awarded the



EPC reasonable trial costs. The Harts moved for re-consideration of the Motion for Relief from Judgment denial and it was denied. An appeal of the denial was dismissed. The EPC moved for contempt for failure to restore the wetland, but the Court ordered the EPC to conduct the wetland remediation and charge the Harts. (RM)

**Dubliner North, Inc.** [LEPC09-015]: On September 17, 2009 the Commission granted authority to take legal action against Respondent for violations of the EPC Act and EPC Rules, Chapter 1-10 (Noise). A Citation to Cease and Order to Correct Violation was issued on July 24, 2009, the Respondent failed to appeal the citation and it became a final order of the Agency enforceable in court. On May 5, 2010 the EPC filed a civil lawsuit in Circuit Court. The Defendant did not respond to the complaint, thus a default was issued on September 30, 2010. A trial was set for the week of May 9, 2011. The parties attended court-ordered mediation on April 22, 2011. A Mediation Settlement Agreement was entered on April 22, 2011. On August 8, 2011, the EPC filed a Notice of Voluntary Dismissal. Defendant has not complied with the terms of the settlement, EPC filed a motion to enforce the Settlement and a hearing was held on August 2, 2012 and a Judgment Against Defendant was entered. The Defendant paid the negotiated penalty, but corrective actions are pending. (RM)

**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 is preparing to seek relief from the bankruptcy stay to get an award of stipulated penalties from the state court. The site remains out of compliance with applicable EPC solid waste regulations. (AZ)

**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. (AZ)

**Petrol Mart, Inc.** [LEPC07-018]: Authority to take appropriate action against Petrol Mart, Inc. to seek corrective action, appropriate penalties and recover administrative costs for improperly abandoned underground storage tanks and failure to address petroleum contamination was granted on June 21, 2007. The owner of the property is insolvent and the corporation inactive; however, the Waste Management Division intends on obtaining a judgment and lien on the property for the appropriate corrective actions. The Legal Department filed a civil lawsuit on September 26, 2007. The defendant was served with the lawsuit on October 12, 2007. The Court entered a default on November 9, 2007 for the Defendant's failure to respond. The EPC Legal Department set this matter for trial on March 26, 2008. The Court ruled in favor of EPC and entered a Default Judgment against the Defendant awarding all corrective actions, penalties of \$116,000 and costs of \$1,780. In the event the corrective actions are not completed the court also authorized the EPC to contract to have the site cleaned and to add those costs to the lien on the property. PRF monies were allocated in November 2008 to assist in remediating the site. (AZ)

**Tranzparts, Inc. and Scott Yaslow** [LEPC06-012]: Authority was granted on April 20, 2006 to pursue appropriate legal action against Tranzparts, Inc., Scott Yaslow, and Ernesto and Judith Baizan to enforce the agency requirement that various corrective actions and a Preliminary Contamination Assessment Plan be conducted on the property for discharges of oil/transmission fluid to the environment. The EPC entered a judicial settlement (consent final judgment [CFJ]) with Tranzparts and Yaslow only on February 16, 2007 (no suit was filed against the Baizans). The Defendants have only partially complied with the CFJ, thus a hearing was held on April 28, 2008, wherein the judge awarded the EPC additional penalties. A second hearing was held on January 25, 2010, for a second contempt proceeding and additional penalties. The Judge found the Defendants in contempt and levied stipulated penalties/costs, and a contempt order was executed by the judge on March 15, 2010 requiring the facility to temporarily shut down until the facility is remediated. On January 7, 2013 the EPC deemed the facility had met the CFJ-required remediation requirements, but other obligations are still due as are penalties and costs which have become a lien against the Defendants. (RM)

**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 EPC is waiting for the lawsuit to be served. (AZ)

### III. PENDING ADMINISTRATIVE CHALLENGES

The following is a list of cases assigned to the EPC Legal Department that are not in litigation, but a party has asked for an extension of time to file for administrative litigation in an effort to negotiate a settlement prior to forwarding the case to a Hearing Officer. The below list may also include waiver or variance requests.

**Vulcan Materials Company d/b/a Florida Cement, Inc.** [13-EPC-009]: On October 17, 2013, the Petitioner filed a request for an extension of time to file a Petition for Administrative Hearing to challenge the Revised Draft Air Construction Permit No. 0570018-021-AC. The request was granted and the Petitioner has until December 2, 2013 to file a petition in this matter. The parties reached resolution of the permitting issue and a final air permit issued on January 6, 2014. This case is closed. (RM)

**Sun Communities, Inc.** [12-EPC-012]: On August 2, 2012, the Petitioner filed a request for an extension of time to file a Petition for Administrative Hearing to challenge a Notice of Permit Denial. The request was granted and the Petitioner was initially granted until November 15, 2012 to file a petition in this matter, subsequently, additional requests for extensions were filed by the Petitioner and the current deadline to file a petition in this matter is December 6, 2013. The parties reached a settlement over enforcement matters on December 9, 2013, which in turn will result in permitting matters being resolved shortly. The permit was issued on December 23, 2013. This case is closed. (RM)



## *ENVIRONMENTAL PROTECTION COMMISSION*

### *AGENDA ITEM COVER SHEET*

**Date of EPC Meeting:** February 20, 2014

**Subject:** 2013 Year's End Action Plan Updates

**Agenda Section:** Consent Agenda

**Item:** Executive Director Report

**Recommendation:** Informational Only

**Brief Summary:** In January 2013, EPC staff initially brought the Agency's 2013 action plans to the Board for approval. These measurable action plans were divided into twelve individual initiatives which supported the Agency's strategic priorities for calendar year 2013. The year's end evaluations are listed for all twelve action plans.

**Financial Impact:** No Financial Impact

**Background:** As part of the Agency's Sterling Management planning process and philosophy of continuous improvement, staff held a strategic planning retreat in December 2012. 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 efficiency. Since the Agency started this formal procedure in 2010, they have completed some forty-six of these initiatives.

The narrative descriptions of the proposed action plans for 2013 were brought to the Board in January 2013 and approved. The twelve detailed action plans reflecting the Agency's strategic objectives for 2013 were then finalized and formally launched. The finalized versions of the action plans were approved in the Consent Agenda at the March meeting.

Each Agency initiative is described in an individual action plan with measurable goals. The attachments reflect the year's end evaluation of each action plan for 2013.

**List of Attachments:** Year's End Evaluations for the 2013 Action Plans

## Year's End Evaluation of 2013 Action Plans

<p><b>Action Plan Title and ID Number:</b> Nutrient Management Initiative – 1.2</p>	
<p><b>Action Plan Owner:</b> Tom Ash</p>	<p><b>Date Completed:</b> December 2013 / On-going</p>
<p><b>Proposed Success Measures:</b></p>	
<p>Meet water quality goals for all four major bay segments and major tributaries.</p> <p>Have new environmental services agreement in place and continue cooperative approach to stormwater related nutrient management.</p> <p>Continue progress made with local partners in helping FDEP &amp; USEPA develop Numeric Nutrient Criteria for the Tampa Bay area.</p> <p>Have in place at least one new media campaign that promotes responsible fertilizer use consistent with Chapter 1-15.</p>	<p><b>Final Outcome:</b></p> <p>Annual water quality goals were achieved in all four major bay segments for the first three quarters (fourth quarter is not available yet).</p> <p>New Inter-local Agreement with Hillsborough County for water quality monitoring as part of the County's MS4 and NPDES permits was signed in Sept. 2013.</p> <p>Due to State and local partnering, FDEP &amp; USEPA have developed Numeric Nutrient Criteria for most Florida waters including the Tampa Bay area.</p> <p>New 15 sec. NPR Radio PSA was produced by TBEP &amp; partners and aired for 30 days this summer on WUSF.</p>
<p><b>Additional Owner Comments:</b></p> <p>It took a great deal of effort to establish water quality measures for this action plan that were achievable and meaningful. I recommend that we keep these metrics as is and continue this ongoing action plan in the coming year.</p> <p>The inter-local agreement with Hillsborough County Public Works Department for water quality sampling and laboratory services will also be an ongoing success measure in the coming year.</p>	
<p><b>Recommended Follow-up:</b></p> <p>Find additional opportunities to increase awareness of and compliance with our fertilizer study results in fall 2014 and report to the Board on the status of the associated peer review.</p>	

## Year's End Evaluation of 2013 Action Plans

<p><b>Action Plan Title and ID Number:</b> Enhanced Delegation Responsibilities for Development Reviews - 1.4</p>	<p><b>Date Completed:</b> Ongoing</p>
<p><b>Action Plan Owner:</b> Christina Bryant</p>	
<p><b>Proposed Success Measures:</b></p>	
<p>Executing a Coordination Agreement w/ Army Corps to administer the State Programmatic General Permit on their behalf</p> <p>Submitting a complete application to DEP/SWFWMD seeking additional delegation regarding stormwater and wetland development reviews</p>	<p><b>Final Outcome:</b></p> <p>Coordination Agreement officially implemented 9/1/13.</p> <p>Currently in the process of working with consultant to determine applicable portions of ERP to pursue for delegation.</p>
<p><b>Additional Owner Comments:</b></p> <p>There was a substantial delay obtaining the funding for the consultant. The consultant has now been procured and is assembling/analyzing the current rules and procedures from EPC Wetlands and HC Stormwater.</p> <p>A meeting was held in December with the consultant and the County Stormwater Department personnel. The EPC will pursue additional delegation in the form of Jurisdictional Wetland Lines.</p> <p>The County will examine the cost/benefit of seeking limited delegation. EPC will serve as a "facilitator" to assist the County's attempt to seek limited delegation.</p>	
<p><b>Recommended Follow-up:</b></p> <p>Continue to work with consultant and HC representatives in order to determine what portions of ERP should be pursued.</p> <p>Establish the framework in which the proposed delegation will operate.</p> <p>Complete and submit application for additional ERP delegation in 2014.</p> <p>Consider seeking delegation of additional programs closely related to the Agency's core mission such as FWC's lake front vegetation program and DEP's formal delineation process.</p>	

## Year's End Evaluation of 2013 Action Plans

<b>Action Plan Title and ID Number:</b> Energy Star Certification/Green Business Recognition/Green Procurement Policy – 1.5	
<b>Action Plan Owner:</b> Hooshang Boostani	<b>Date Completed:</b> On-going
<b>Proposed Success Measures:</b>	
Apply for Energy Star Certification on RPS Center	<b>Final Outcome:</b> County Facilities is still making adjustments to the chiller unit. Until this is corrected, we are not in a position to apply for Energy Star.
Green Business Recognition	25 Green Star Facilities were added this year and EPC is participating in the UT Sustainable Business Coalition of Tampa Bay. Still we did not develop a new green business recognition program as originally proposed.
Green Procurement Policy	The Green Team hopes to complete this task in calendar year 2014. We will identify County green purchasing policies that we participate in, as well as establish a recycled paper purchasing policy that can be added to over time.
<b>Additional Owner Comments:</b>	
Once the new chiller unit is operating properly, the Green Team will work with the County Energy Manager to apply for the Energy Star certification.	
Strides have been made in educating EPC employees of the need to reduce energy use for environmental and economic benefits. There will be continued efforts to measure and reduce electrical use in the agency.	
<b>Recommended Follow-up:</b>	
Apply for the Energy Star award in coordination with the County facilities.	
Develop a green procurement policy to be signed by the Agency's ED.	

## Year's End Evaluation of 2013 Action Plans

<b>Action Plan Title and ID Number:</b> Compliance Assistance Improvement Initiative for Minor Non-Compliance and Small Businesses – 1.6	
<b>Action Plan Owner:</b> Jason Waters	<b>Date Completed:</b> December 2014
<b>Proposed Success Measures:</b>	
Revise Agency Complaint & Warning Notice SOP to include Compliance Assistance Letter.	<b>Final Outcome:</b> Draft developed but final needs to be submitted to Senior Staff for further discussion.
Utilize the customer survey to receive business feedback.	Next Customer Survey will be conducted in 2014 and be based on 2013 experience with EPC. Next general survey for Customers will be 2016. This is not timely enough. Each Division will need to conduct follow up surveys with affected businesses within 30 days of closing out a Compliance Assistance Letter and provide the necessary results to produce a summary report for Senior Staff by September 2014.
Track future compliance rate for participating businesses to determine effectiveness.	Database Consultant has been contacted and Compliance Assistance Letter will be added to Complaint/Warning Notice Database. Each Division will need to look back at affected facilities in 2 years and look at compliance rates. Report back to Senior Staff in 2016.
<b>Additional Owner Comments:</b> The standardization will be a good thing, but this has progressed more slowly than anticipated.	
<b>Recommended Follow-up:</b> Complete database revisions and finalize SOP including Compliance Assistance Letter.	
Each Division will send surveys to all affected businesses within 30 days of closing a Compliance Assistance Letter and give Senior Staff a summary report on the feedback by fall of 2014.	
Each Division will check compliance rates for affected facilities two years later and compare versus overall rate.	

## Year's End Evaluation of 2013 Action Plans

<b>Action Plan Title and ID Number:</b> Prepare Sterling Challenge Application – 2.3	
<b>Action Plan Owner:</b> Rick Garrity	<b>Date Completed:</b> Sterling Challenge submitted July, 2013; on-site visit completed August, 2013; Feedback Report summary to Board completed October, 2013
<b>Proposed Success Measures:</b> Timely completion of a Sterling Challenge Application with Strategic Plan, Organizational Profile, and Sterling Category Analyses	
<b>Final Outcome:</b> All Goals have been accomplished	<b>Additional Owner Comments:</b> Staff has summarized the Feedback Report to the Board. The Report findings will be used in 2013-14 strategic planning and Action Plans for 2014 will include addressing Feedback Report suggestions.
<b>Recommended Follow-up:</b> The Feedback Report will be critically evaluated by staff including a planning session with Sterling consultant Dave Klater. Action Plans will be prepared to address the Feedback Report "Opportunities for Improvement" suggestions. These Actions Plans will be presented to the Board for consideration and approval. The Agency will continue to implement Sterling management concepts with the end goal of eventual submittal for consideration for the Governor Sterling Award.	



## Year's End Evaluation of 2013 Action Plans

<b>Action Plan Title and ID Number:</b> Neighborhood Outreach Initiative - 3.1		<b>Date Completed:</b> December 2013 / On-going
<b>Action Plan Owner:</b> Jeff Sims		
<b>Proposed Success Measures:</b>		
Develop EPC Community Partner Program Have at least 3 neighborhoods acquire Community Partner status in 2013 Develop EPC Advisory/Notification System Acquire at least 75 individuals to register onto Advisory System Produce updated Open Burn outreach material Develop EPC Community Partner Mini-Grant Program Receive at least one Mini-Grant application by year's end See citizen customer satisfaction score from biennial survey increase from 3.06 in 2012 to 3.30 in 2014	<b>Final Outcome:</b> Complete Met 100% of goal with 4 neighborhoods signing up Complete Met 100% of goal with 78 individuals signing up On-going -- met with Citizen Response Section and acquired content and layout desired ... updated rack card currently being designed Complete -- Details of Mini-Grant Program available on EPC's website, along with application that can be submitted electronically On-going -- all eligible Community "Partners" have been informed of mini-grant availability and one application is in-house. Unavailable - 2014 customer survey not to be initiated until Summer 2014	
<b>Additional Owner Comments:</b>		
Presented programs at Hillsborough County Neighborhood Conference and promoted programs at other outreach events throughout the year.		
Presented to four Homeowner Associations at their regular evening meetings, and each Association included an article in their newsletter referencing EPC and its related contact information.		
Presented various programs to the EPC Board in April 2013, and later acquired formal Mini-Grant Program funding approval from the Board.		
Utilized action plan initiative to help develop theme for 2014 Clean Air Month: <i>Environmental Protection through Neighborhood Connection</i> .		
<b>Recommended Follow-up:</b>		
Continue to promote Advisory/Notification System and Community Partner Program at outreach events attended by EPC staff.		
Continue to attend Hillsborough County's Neighborhood Conference to promote programs directly to primary HOA members.		
Complete updated rack card for Open Burn program.		

## Year's End Evaluation of 2013 Action Plans

<p><b>Action Plan Title and ID Number:</b> EPC Intern Program - 3.2</p>	
<p><b>Action Plan Owner:</b> Andy Schipfer</p>	<p><b>Date Completed:</b> June 2014</p>
<p><b>Proposed Success Measures:</b>                  Revise Agency policy on Volunteer Training</p> <p>Establish operating procedures to formalize process</p> <p>Identify and formalize relationships with University partners</p> <p>Have at least two interns at EPC this fall</p> <p>Program implementation</p>	<p><b>Final Outcome:</b>                  Legal has updated and revised 2 iterations of Draft Policy updates. Committee continues to evaluate need for additional changes. The policy in draft form needs to be presented to Senior Staff too.</p> <p>Two independent intern procedures are developed. The Committee will continue to update and revise to be more comprehensive.</p> <p>Relationships with several universities for legal and science interns are established. Further evaluation and formalization remains for additional areas such as engineering, GIS and public relations that have not been explored as anticipated.</p> <p>Interns continue to be accepted at EPC through the pre-existing informal process. EPC currently has 3 active interns.</p> <p>Additional work remains for a comprehensive approach and a more formalized process.</p>
<p><b>Additional Owner Comments:</b> The Intern Committee intends to continue to bring in interns as well as ensure an enlightened training for those who are here.</p>	
<p><b>Recommended Follow-up:</b> Complete the Action Plan. Make the necessary revisions to the Agency's policy on Volunteer Training and get ED to sign it.</p> <p>Assign one person in the Agency to oversee the revised intern program without interfering with the niche internships for programs like water monitoring.</p> <p>Formalize intern cross divisional exposure experience for all EPC internships with the understanding these training internships will be the exception rather than the rule.</p> <p>Continue to identify internship opportunities within the EPC (i.e. GIS, public outreach, etc.)</p> <p>Continue policy revisions until a uniform approach is achieved.</p>	

## Year's End Evaluation of 2013 Action Plans

<p><b>Action Plan Title and ID Number:</b> Enhanced Priority Permitting – 3.3</p>	<p><b>Action Plan Owner:</b> Diana Lee</p>	<p><b>Date Completed:</b> December 2013</p>
<p><b>Proposed Success Measures:</b></p>		
<p>Increase permitting outreach to small businesses (goal of 10 in 2013).</p>	<p>Met with 6 small businesses and processed 5 projects.</p>	<p><b>Final Outcome:</b></p>
<p>Expand Priority Permitting to DEP and SWFWMD.</p>	<p>Met with the DEP SW District Office and SWFMD. Both seemed enthusiastic and expressed willingness to participate in future pre-application meetings as needed. SW District did sit in on one meeting with Trillium as a result.</p>	
<p>Have ability to enter permitting data into City's and County's Accela systems.</p>	<p>Both the City and the County have indicated as their systems go live in 2014, EPC will have access to their Accela systems for data entry. County has already offered us 5 licenses.</p>	
<p>Obtain an overall satisfaction rating of 3.6 or better 100% of the time.</p>	<p>Received score of 3.6 or better 100% of the time (4 out of 4).</p>	
<p>Process 95% of applications in less than half the statutory time.</p>	<p>Processed 100% of applications in less than half the statutory time.</p>	
<p><b>Additional Owner Comments:</b></p>		
<p>In addition to meeting with the DEP SW District Office and SWFMD, we met with several other agencies that included the County's Economic Development Department, County's Planning and Growth Management Department, Tampa's Economic Development Corporation, City of Temple Terrace and City of Tampa. Also, maintained communication with Plant City.</p>		
<p><b>Recommended Follow-up:</b></p>		
<p>Work towards implementing Accela data entry for wetlands permitting at the EPC. Maintain regular communication with all 4 municipalities.</p>		

## Year's End Evaluation of 2013 Action Plans

<p><b>Action Plan Title and ID Number:</b> Workforce Alliance Partnership - 4.2</p>	
<p><b>Action Plan Owner:</b> Joyce Moore</p>	<p><b>Date Completed:</b> December 2013</p>
<p><b>Proposed Success Measures:</b>            Enter contract with Workforce Alliance to become a training vendor by March 2013.</p> <p>Start at least one Workforce Alliance Trainee per quarter, beginning in the second quarter of 2013.</p>	
<p><b>Final Outcome:</b>            Executed contract with Workforce Alliance in April 2013.            Signed an Extended Community Service/Work Experience Agreement in June 2013 for an additional 6 months (18 months total to December 2014).            The first candidate began in June 2013, ending her work experience with EPC in Dec. 2013.            The second candidate began in July 2013, and after 1 month of work experience with EPC acquired a full-time position elsewhere.            The third candidate began in October 2013 and continues to gain clerical experience at the agency.</p>	
<p><b>Additional Owner Comments:</b>            To date, candidates have put in over approximately 750 hours at EPC.</p>	
<p>Workforce Alliance has provided EPC with a direct email address and Community Worksite Contact to ensure all Worksite agreement updates, Staffing inquiries, and worksite concerns are being addressed in a timely manner.</p>	
<p><b>Recommended Follow-up:</b>            Continue to partner with Workforce Alliance to (1) offer mentoring for unemployed individuals who can gain job training opportunities, (2) lessen EPC's impact on administrative losses, and (3) continue to receive the positive fiscal impact that the program provides by compensating for the loss of EPC's administrative staffing.</p>	

## Year's End Evaluation of 2013 Action Plans

<p><b>Action Plan Title and ID Number:</b> Common Agency Database Feasibility Study – 5.2</p>	
<p><b>Action Plan Owner:</b> Jim Birney</p>	<p><b>Date Completed:</b> December 2014</p>
<p><b>Proposed Success Measures:</b> Document function of each of the Agency's 33 databases.</p> <p>Make recommendations as to which existing databases should be connected through common elements.</p> <p>Request for Information proposal</p> <p>Evaluate RFI responses and make written recommendation to Senior Staff for RFP.</p> <p>Issue RFP and solicit vendor quotes.</p>	<p><b>Final Outcome:</b> This step is in progress. Action Plan is just focusing on the twenty-six databases utilized by the operational divisions. The remaining seven are used exclusively by MIS and were separated out. A table with some documentation is available on the J-Drive for the twenty-six. To complete the documentation a contractor is being selected to map the databases, so that staff can determine common elements and where they are derived.</p> <p>Not complete. Written report to be submitted to Senior Staff listing the databases and which ones need to be connected as per the Database Committee.</p> <p>Not completed but may not be necessary.</p> <p>Not completed but may not be necessary.</p> <p>RFP may not be necessary to complete the task.</p>
<p><b>Comments:</b> Action Plan is in progress; however, some of the interim steps may not be necessary. Completing a thorough documentation of the operational databases will be a big accomplishment.</p>	
<p><b>Recommended Follow up:</b> Combine this in-progress Action Plan with the 2014 plan titled "Efficiency Through Connected Databases."</p>	

## Year's End Evaluation of 2013 Action Plans

<p><b>Action Plan Title and ID Number:</b> Online Applications and E-Pay – 5.2</p>	
<p><b>Action Plan Owner:</b> Elaine DeLeeuw, E-Pay; Jackie Julien, Online Applications</p>	<p><b>Date Complete:</b> December 2014</p>
<p><b>Proposed Success Measures:</b></p>	
<p>The system would be successful if the public is able to submit and pay for an application from the EPC website by December 2013.</p>	<p><b>Final Outcome:</b> Bank of America was selected as it was the only option that did not require a bidding process which would delay project at least a year. Agency currently has the capability to accept E-Pay, but it is not being offered until the on-line applications are ready.</p>
<p>Goal is to have 10% of the applications submitted in the fourth quarter of 2013 done so on-line.</p>	<p>Application forms are not ready yet, thus none have been submitted on-line.</p>
<p><b>Additional Owner Comments:</b></p>	
<p>During the demo period, Bank of America's (BOA) Vcart system proved it was not a feasible option. BOA V+Portal system was selected for use. Go live date was 12/16/2013.</p>	
<p>First form to be used with online e-payment will be for Wetlands Delineation and additional forms will be added over time. The first Wetlands Delineation form may be revised later once a standardized format is set.</p>	
<p><b>Recommended Follow-up:</b></p>	
<p>Limitations of V+Portal system not allowing for pre-set amount of payment will cause bidding process of vendor that can provide seamless and preset e-pay system. Bank of America is limited in capabilities but did not require a bidding process which could take 1-2 years until completion. Jackie's resignation caused delay with standardizing online applications. Elaine and Stephen Hathaway will pick up standardization of forms as project in 2014.</p>	

## Year's End Evaluation of 2013 Action Plans

<b>Action Plan Title and ID Number: 5.2 Continuous Improvement / Improve the Usage of Technology</b> Virtual Desktop System		<b>Date Complete:</b> March 2014
<b>Action Plan Owner:</b> Shannon Parris		
<b>Proposed Success Measures:</b> Install 80 virtual desktop "bricks", replacing the oldest desktop computers first, by 12/31/13.  Measure system availability of virtual desktop "brick" hardware to be >96%	<b>Final Outcome:</b> As of 12/31/13, 43 bricks have been installed.  For the 43 units already installed, availability has been measured at >99%.	
<b>Additional Owner Comments:</b> The MIS team will need additional time to install the first 80 bricks. The delay was because of available staff hours that were able to be dedicated to project due to higher priority request that were received during this same time period. Another 35 units will be installed beyond the 80 in 2014.		
<b>Recommended Follow-up:</b> Complete installations through March. Continue to measure availability through 2014.		

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## ENVIRONMENTAL PROTECTION COMMISSION

### AGENDA ITEM COVER SHEET

**Date of EPC Meeting:** February 20, 2013

**Subject:** Status update on settlement negotiations regarding the Baldor vs EPC boatlift permitting appeal (EPC Case No. 12-EPC-015)

**Agenda Section:** Regular Agenda

**Division:** Legal and Administrative Services Division

**Recommendation:** None

**Brief Summary:** Appellant Javier Baldor resides on a canal in Tampa and applied to the EPC for a boatlift permit. The application to construct the boatlift was denied based on Tampa Port Authority rules (administered by the EPC) due to the structure encroaching an undisputed seventeen (17) feet into the neighbor's setback and Mr. Baldor failing to obtain an "affidavit of no objection" from the neighbor. Mr. Baldor challenged the denial and a Summary Hearing was conducted on February 20, 2013. The presiding Hearing Officer issued a Recommended Order on March 1, 2013, upholding the denial of a Minor Work Permit for the construction of a boatlift and pilings on Sovereignty Lands within the neighbor's setback. Mr. Baldor filed Exceptions to the Recommended Order and the EPC Executive Director filed a Response to those Exceptions. The Final Order Hearing was conducted on August 15, 2013, and the Commission continued the hearing to allow the parties and the neighbor to pursue further settlement discussions. Staff will update the Commission on the status of the settlement.

**Financial Impact:** No Financial Impact anticipated.

**Background:** The Environmental Protection Commission was delegated a portion of the marine construction permitting authority from the Tampa Port Authority (TPA) and the EPC staff process Minor Work Permits (e.g. dock permit applications) on behalf of the TPA and the Florida Department of Environmental Protection as part of its streamlined permitting program. Appellant Javier Baldor lives on a canal in Tampa and applied to the EPC for a Minor Work Permit to construct a boatlift and pilings adjacent to his existing dock on Tampa Port Authority property.

The Minor Work Permit application was denied based on the TPA Submerged Land Management Rules that address minimum setback requirements from a neighbor's property unless an "affidavit of no objection" is obtained from the neighbor. In this case, the neighbor objected to Mr. Baldor's boatlift encroaching into the setback an undisputed 17 feet. Mr. Baldor challenged the denial on grounds that the rule allowed his boatlift, which had been removed for a period of approximately two years, to be "grandfathered" and rebuilt without the need to obtain an "affidavit of no objection" from the neighbor. The case was assigned to an EPC Hearing Officer and the parties agreed to hold a Summary Hearing before the Hearing Officer. In accordance with sections 1-2.32 (i), Rules of the EPC, the summary hearing was conducted on February 20, 2013, and a Recommended Order was issued by the Hearing Officer on March 1, 2013, upholding the denial to construct the boatlift as requested by Mr. Baldor.

Mr. Baldor, through his counsel, has filed Exceptions to the Recommended Order asking the Commission to reverse the Recommended Order based on grounds that the previous boatlift structure was grandfathered under the rules. The Executive Director has filed a Response to the Baldor exceptions, asking the Commission to affirm the Recommended Order. The parties presented oral argument at the quasi-judicial Final Order hearing on August 15,

2013. Pursuant to Section 9 of the EPC Act and Section 1-2.35, Rules of the EPC, the Commission must now sit in a quasi-judicial capacity to affirm, reverse, or modify the Hearing Officer's Recommended Order through issuance of a Final Order or to remand the case back to the Hearing Officer for additional findings. The final vote by the Commission regarding the matter was not taken on August 15, 2013 and the hearing was continued to allow the parties and the neighbor to pursue additional settlement discussions. The vote was then continued. Staff will provide an update regarding the current status of settlement discussions during the meeting.

**List of Attachments:** None



## ENVIRONMENTAL PROTECTION COMMISSION

### AGENDA ITEM COVER SHEET

**Date of EPC Meeting:** February 20, 2014

**Subject:** Legislative Update

**Agenda Section:** Regular Agenda

**Item:** Legal and Administrative Services Division

**Recommendation:** Informational Report Only

**Brief Summary:** The 2014 Florida Legislative Session begins March 4, 2014. EPC staff has already reviewed many bills of interest. Staff will provide a brief presentation on a few environmental bills of interest.

**Financial Impact:** No Financial Impact

**Background:** The 2014 Florida Legislative Session commences on March 4, 2014 for 60 days. The EPC staff tracks dozens of environmental and administrative bills and the State budget. Additionally staff provides comments, analysis, and assistance to the County's Public Affairs Office, the Florida Association of Counties, and the Florida Local Environmental Resource Agencies (FLERA). The Commission approved a basic legislative strategy (EPC Policy No. 2007-02) on March 15, 2007, that gives staff continuing direction to monitor, comment on, and lobby for, among other things, bills that impact the functions of the EPC.

The following are initial bills of interest we are tracking, but there are more that we will analyze in the future:

#### **HB 49 - Springs Revival Act and SB 76**

**Sponsors:** Senator Soto and Reps. Stewart, Saunders, and Watson

**House Committees:** Agriculture & Natural Resources Subcommittee; Rulemaking Oversight & Repeal Subcommittee; and State Affairs Committee

**Senate Committees:** Environmental Preservation and Conservation; Community Affairs; Appropriations; and Rules

This bill requires the water management districts to identify first and second (i.e. large) magnitude springs that appear to have lower water levels or poorer water quality, then develop a 5-year plan to restore them, and authorizes the districts to adopt rules and issue orders. Quarterly reports to the Governor and legislative leaders will be required. There are no first magnitude springs in Hillsborough but about six second magnitude springs.

#### **HB 71 - Fracturing Chemical Usage Disclosure Act**

**Sponsor:** Rep. Rodrigues

**Committees:** Agriculture & Natural Resources Subcommittee (passed with a CS); Agriculture & Natural Resources Appropriations Subcommittee; and State Affairs Committee.

The bill directs DEP to designate or establish online hydraulic fracturing chemical registry for all wells that chemical fracturing occurs. Fracturing is a technique in which typically water is mixed with sand and chemicals

**List of Attachments:** None

and forced deep underground to push various gases and other substances to an easier to reach extraction point. It requires service providers, vendors, and owners or operators of wells on which hydraulic fracturing treatments are performed to disclose the chemical ingredients used and the volume of water used. It authorizes DEP to adopt rules to implement the bill. EPC is not aware of efforts to frack in Hillsborough County.

### **HB 157 - Public Records/Fracturing Chemical Usage Disclosure Act**

**Sponsor:** Rep. Rodrigues

**Committees:** Agriculture & Natural Resources Subcommittee; Government Operations Subcommittee; and State Affairs Committee.

The bill states that trade secret information held by the DEP regarding hydraulic fracturing are confidential and exempt from public records laws.

### **SB 312 Agriculture (Taxes and Water Retention)**

**Sponsor:** Sen. Simpson

**Senate Committee References:** 1. Agriculture; 2. Community Affairs; 3. Appropriations Subcommittee on Finance and Tax; and 4. Appropriations

**Related Bills:** HB 207; HB 575; and HB 121

**Summary:** Current laws in Chps. 193 and 212 of the Florida Statutes provide various tax exemptions for agricultural entities. This proposed bill clarifies and expands on those exemptions, many of which deal with agricultural vehicles, equipment, and fuels that the EPC staff will not address, as they do not have an impact on environmental issues. A recent committee substitute made minor tweaks to various tax exemptions for agricultural interests and it revised the proposed water retention program clause as follows:

*(b) Lands classified for assessment purposes as agricultural lands which participate in a dispersed water storage program pursuant to a contract with the Department of Environmental Protection or a water management district which requires flooding of land shall continue to be classified as agricultural lands for the duration of the inclusion of the lands in such program or successor programs and shall be assessed at a de minimis value, on a single year assessment methodology.*

Among other things, this means that if an agricultural property is used to store waters (flood the land) for a Water Management District project (i.e. – Everglades water storage and treatment areas), it will be deemed nonincome producing agricultural land but should be assessed like similar agricultural property for tax purposes. It appears to be an incentive program for the agricultural industry to cooperate with the WMDs and the DEP in various water retention projects, because the lands have been taken out of production and could be taxed at a different (higher) rate, but with this bill they are assured a continued low tax rate.

### **HB 703 - Environmental Regulation**

**Sponsor:** Rep. Patronis

**Committees:**

Agriculture & Natural Resources Subcommittee

Local & Federal Affairs Committee

Agriculture & Natural Resources Appropriations Subcommittee

State Affairs Committee

HB 703 is the annual omnibus Environmental Regulatory bill sponsored by Rep. Patronis. Most notable to local governments is the following proposed revision to section 163.3162(3)(i)(1), FS. This proposal would clarify that any local government wetland regulatory program that was grandfathered under this law, cannot be adopted, modified, or amended after July 1, 2003, as it relates to agricultural activities. Thus, local governments that had wetland, springs protection, and stormwater regulations prior to July 1, 2003 were grandfathered and were allowed to regulate agricultural activities, even if arguably duplicative of State or Federal rules, but this amendment clarifies that the rules that existed on July 1, 2003 are the version that must apply to the agricultural community, not future

amendments. EPC made amendments favorable to agricultural interests after 2007, thus it must be analyzed if those are still applicable.

Other proposed legislation in the bill are as follows:

- Comprehensive Plan and plan amendments shall be adopted by a simple majority of the local board. Some governments require a super-majority vote, thus it will be easier to amend the Comp Plan for the better or worse.
- Prohibits local government from rescinding a Comp Plan amendment for a non-agricultural land use on land that continues to be used for bona fide agricultural purposes.
- Water Management Districts and DEP may grant 50 year permits for projects that involve surface water storage, release, or recharge.
- Water Management Districts and DEP may grant 30 year permits for development of regional impact in rural areas of critical economic concern.
- State-delegated local governments conducting water well construction regulatory programs for the State must apply State rules and criteria and local rules are preempted.
- Allows submitting proof of insurance to be a method of proving financial responsibility for a mitigation bank.
- Minor changes to regional water supply planning laws.
- If US EPA requiring states to develop greenhouse gas (GHG) performance standards, this bill would require the DEP to “establish such performance standards based on a system of emission reduction that has been adequately demonstrated for each existing industrial source... [ and] the department shall take into account the cost of achieving such reduction.” Basically, this is an effort to slow down or lessen the impact of federal standards regarding GHGs.
- Establishes a solid waste landfill closure account within the Solid Waste Management Trust Fund to assist in closure and long-term maintenance of landfills.

This bill we must monitor closely to ensure local government regulatory powers are not further pre-empted. As noted above, the wetland regulatory language needs further clarification, especially as it relates to favorable EPC Agricultural exemptions we adopted after 2003.

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## ***ENVIRONMENTAL PROTECTION COMMISSION***

### ***AGENDA ITEM COVER SHEET***

**Date of EPC Meeting:** February 20, 2014

**Subject:** Summary of Florida Department of Environmental Protection (FDEP) audit of Water Division delegated program and Advertisement for 2014 Pollution Recovery Fund (PRF) Grant Projects

**Agenda Section:** Regular Agenda

**Item:** Water Management Division

**Recommendation:** Informational Report

**Brief Summary:** The Water Division has delegated authority through the FDEP for regulation of most domestic and industrial wastewater facilities in Hillsborough County. The Specific Operating Agreement (SOA) with the FDEP provides for annual performance evaluations to determine if permitting, compliance, complaint and enforcement activities are conducted in accordance with applicable State requirements and policies, files are maintained as required and reporting requirements met. In November 2013, staff of the FDEP conducted a comprehensive audit of these activities and found that the SOA was being implemented as required and listed many accomplishments. EPC staff also announces that advertising to solicit 2014 PRF Grant applications has commenced and will continue through May 1, 2014.

**Financial Impact:** No Financial Impact

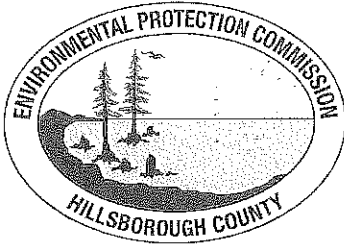
**Background:** 1. **Audit:** The Water Division has delegated authority through the FDEP for regulation of all domestic and industrial wastewater facilities in Hillsborough County except for those that are County owned or operated or are subject to federal permitting. The Delegation also includes handling all complaints within our jurisdiction. This delegation includes 65 industrial wastewater and 94 domestic wastewater facilities. In 2013 over 500 compliance inspections were conducted of delegated and non-delegated facilities, 275 complaint investigations conducted, in addition to approximately 300 inspections related to permitting, over 170 collection system permits issued and over 1500 monitoring reports reviewed. The Specific Operating Agreement (SOA) with the FDEP provides for annual performance evaluations to determine if permitting, compliance and enforcement activities are conducted in accordance with applicable requirements and policies, files are maintained as required and reporting requirements met. In November 2013, FDEP sent 8 staff members from Tallahassee and the District and conducted a comprehensive audit of these activities, including file review, staff interviews and database checks, and found that the SOA was being implemented as required. In addition, the audit listed many accomplishments including having good field presence, responding quickly to complaints and offering great compliance assistance to permit holders.

2. **Pollution Recovery Funds:** EPC staff is currently advertising to solicit 2014 PRF Grant applications. Applications will be accepted from February 1 through May 1, 2014. It is the intention to award a total of approximately \$50,000 again this year.

**List of Attachments:** None

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## *ENVIRONMENTAL PROTECTION COMMISSION*

### *AGENDA ITEM COVER SHEET*

**Date of EPC Meeting:** February 20, 2014

**Subject:** EPC Action Plans for 2014

**Agenda Section:** Regular Agenda

**Item:** Executive Director Report

**Recommendation:** Receive report and vote to approve the slate of Action Plans for 2014.

**Brief Summary:** At the end of the Agency's planning cycle, staff develops a new set of action plans for the coming calendar year. For 2014 they are recommending sixteen plans to address opportunities for improvement identified by the Sterling Challenge application, and as a result of a thorough analysis of the Agency's standing on their strategic priorities and objectives. If approved, staff will implement the individual initiatives as detailed in the action plan outlines supplied as backup to the agenda.

**Financial Impact:** No financial impact to approve the 2014 Action Plans as proposed; however, to complete them it may require additional funding. The additional funding will be brought to the Board separately.

**Background:** Pursuant to the EPC's Strategic Plan, staff completes an annual review of the strategic priorities and objectives, challenges and advantages, core functions, products and services, and employee and customer surveys. They look at the metrics measuring each and look for ways to continuously improve the EPC's effectiveness and efficiency. These steps to continuous improvement are titled action plans. Each plan is assigned an owner and an advisor to see it through. The plans are approved by the Board and updates are provided quarterly.

This agenda item seeks Board approval for sixteen action plans for 2014. Many are considered critical to the Agency's long term goal to qualify as a Governor's Sterling Award winning organization, similar to what the County's Tax Collector has already achieved.

**Detailed Action Plans will be delivered under separate cover.**

**List of Attachments:** Supplemental packet containing Action Plans to be delivered separately.

# 2013 Goals

Core Function	Measure	Pre-Sterling Year (2009)	2011	2012	2013	2013 Goal
Permitting	Average Time to Issue an Intent for State Construction Permits	57 days	36 days	36 days	29 days	Less Than or Equal to 36 days
	Average Time to Issue an Intent for Tampa Port Authority Permits	56 days	53 days	43 days	46 days	N/A
	Average Time EPC Permits were In-house	21 days	20 days	16 days	17 days	Less Than or Equal to 20 days
Compliance	Timely Resolution of Lower Level Non-Compliance Cases	92%	90%	91%	92%	Greater Than 90%
Environmental Complaints	Timely Initiation of Investigation	99%	99%	99+%	99+%	Maintain 99%
Enforcement	Timely Initiation of Enforcement	73%	81 %	76 %	94%	85%



## *ENVIRONMENTAL PROTECTION COMMISSION*

### *AGENDA ITEM COVER SHEET*

**Date of EPC Meeting:** February 20, 2014

**Subject:** FY 15 Budget Report

**Agenda Section:** Regular Agenda

**Item:** Executive Director Report

**Recommendation:** None, informational update.

**Brief Summary:** Staff will brief the Commission regarding the upcoming FY 15 EPC budget submittal. The staff is looking ahead to increasing economic and development activity and will preview possible budget enhancement requests for FY 15 and seek the Commission's input.

**Financial Impact:** No Financial Impact at this time. Possible future budget enhancements for FY 15.

**Background:** Over the past several years EPC staff has made great strides in measuring, tracking and reducing in-house permitting and citizen response time. As Staff prepares for the FY 15 budget submittal process we are gathering data indicating increased economic and development activity. As part of our Sterling Management Process we are constantly striving to improve our processes and core services. In reviewing the data, we anticipate several areas where FY 15 budget enhancements may be worthwhile to maintain or improve our services to keep up with the expected demand. Examples include, costs associated with EPC access to the County's Accela software, application and consulting fees associated with the Sterling Management process, Community Outreach resources and Wetland Division staffing in response to workload increases. Staff will preview these areas for the Commission and seek input regarding staff's budget submittal to the County Administrator.

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