

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
OCTOBER 16, 2014

Meetings commence at 9:00 a.m.

601 East Kennedy Boulevard, Tampa, FL

County Center Board Room 2nd 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: September 18, 2014.....	3
B. Monthly Activity Reports – September 2014.....	7
C. Pollution Recovery Fund Reports – September 2014.....	19
D. Legal Case Summary, October 2014.....	21
E. Select Performance Measure Goals for 2014.....	25
F. 2014 Third Quarter Action Plan Updates.....	27

IV. WATER MANAGEMENT DIVISION

A. 10 Year Water Quality Monitoring Update.....	65
B. Approval of 2014 Pollution Recovery Fund Grant Projects.....	67

V. WETLANDS MANAGEMENT DIVISION

A. Request for Commission Action to Allow Staff to Complete Negotiations with FDEP for Additional Delegation under Environmental Resource Permitting Rule	
B. Request Commission Action to Allow Staff to Complete Negotiations with FFWCC for Delegation of Aquatic Plant Control Permitting	
C. Informational Item regarding Ongoing Staff Activities in Cooperation with Port Tampa Bay Regarding Potential Rule Revisions	
D. Informational Item regarding Increasing Citizen Concerns over Shoreline Erosion Problems on Lakes with Wake-Boarding Vessels.....	71

VI. LEGAL & ADMINISTRATIVE SERVICES

A. Civil Service Job Classification and Pay Range Study for EPC.....	73
B. EPC Executive Director's Annual Evaluation.....	75

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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SEPTEMBER 18, 2014 - ENVIRONMENTAL PROTECTION COMMISSION - DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting scheduled for Thursday, September 18, 2014, 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 (arrived at 9:16 a.m.), Victor Crist, Ken Hagan, Al Higginbotham (arrived at 9:07 a.m.), Sandra Murman, and Mark Sharpe.

▶ Chairman Miller called the meeting to order at 9:03 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

▶ Mr. C. L. Townsend, County resident, spoke about climate change effects on the military and distributed information.

II. CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE (CEAC)

Summary of recent CEAC meeting by CEAC Chairman

▶ Mr. Jeffrey Stewart, CEAC, highlighted the report.

III. CONSENT AGENDA

- A. Approval of Minutes: August 21, 2014.
- B. Monthly Activity Report - August 2014.
- C. Pollution Recovery Fund Report - August 2014.
- D. Legal Case Summary, September 2014.
- E. Request authority to take appropriate legal action against Shiraz Investments LLC.
- F. Select Performance Measure Goals for 2014.
- G. 2014 Second Quarter Action Plan Updates.

THURSDAY, SEPTEMBER 18, 2014 - DRAFT MINUTES

▶ Commissioner Murman moved consent, seconded by Commissioner Sharpe, and carried six to zero. (Commissioner Beckner had not arrived.)

IV. EXECUTIVE DIRECTOR REPORT

Executive Director 2014 Annual Agency Report

▶ Dr. Garrity expounded on a presentation, as furnished in background material. ▶ Commissioner Higginbotham commended EPC staff and asked for a copy of the presentation. After commenting on an EPC site visit and congratulating EPC staff, Chairman Miller sought a motion to accept the annual report. ▶ Commissioner Higginbotham so moved, seconded by Commissioner Murman, and carried seven to zero.

V. LEGAL AND ADMINISTRATIVE SERVICES

EPC Executive Director Annual Evaluation

▶ EPC General Counsel Richard Tschantz relayed the evaluation process details. Chairman Miller requested the Microsoft Word-format evaluation form being sent to EPC Board members identify the October 13, 2014, deadline. Replying to Commissioner Beckner, Attorney Tschantz agreed to forward numerical evaluation information to EPC Board members and acknowledged Ms. Lydia Greiner, EPC legal intern.

VI. GREEN TEAM

Best Workplace for Commuters

▶ Mr. Hooshang Boostani, Director, EPC Waste Management Division, highlighted an award received by the EPC and introduced ▶ Ms. Nevine Georggi, University of South Florida, Center for Urban Transportation Research, who made remarks.

VII. WASTE MANAGEMENT DIVISION

Intern Action Plan Results

▶ Mr. Andy Schipfer, EPC, elaborated on a presentation, as provided in background material. ▶ Commissioner Murman suggested the presentation be sent to EPC Board members.

THURSDAY, SEPTEMBER 18, 2014 - DRAFT MINUTES

VIII. AIR MANAGEMENT DIVISION

A. Update on Improved Procedures for Paladin Applications

▼ Mr. Jerry Campbell, Director, EPC Air Management Division, provided the update and highlighted background material.

B. Tampa Bay Clean Cities Coalition

▼ Ms. Margaret Rush, EPC, elaborated on a presentation, as furnished in background material.

IX. ROGER P. STEWART - IN MEMORIAM

▼ Dr. Garrity gave memorial details and displayed photographs. Chairman Miller made laudatory remarks.

▼ There being no further business, the meeting was adjourned at 10:10 a.m.

READ AND APPROVED: _____

CHAIRMAN

ATTEST:

PAT FRANK, CLERK

By: _____
Deputy Clerk

CW

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

SEP

A. Public Outreach/Education Assistance

1	Phone calls	136
2	Literature Distributed	50
3	Presentations	3
4	Media Contacts	3
5	Internet	31
6	Host/Sponsor Workshops, Meetings, Special Events	1

B. Industrial Air Pollution Permitting

1	Permit Applications received (Counted by Number of Fees Received)	
	a. Operating	7
	b. Construction	3
	c. Amendments / Transfers / Extensions	0
	d. Title V Operating:	8
	e. Permit Determinations	4
	f. General	2
2	Delegated Permits Issued by EPC and Non-delegated Permits Recommended to DEP for Approval (¹ Counted by Number of Fees Collected)-(² Counted by Number of Emission Units affected by the Review):	
	a. Operating ¹	6
	b. Construction ¹	7
	c. Amendments / Transfers / Extensions ¹	3
	d. Title V Operating ²	0
	e. Permit Determinations ²	1
	f. General	0
3	Intent to Deny Permit Issued	0

C. Administrative Enforcement

1	New cases received	0
2	On-going administrative cases	
	a. Pending	0
	b. Active	6
	c. Legal	1
	d. Tracking compliance (Administrative)	7
	e. Inactive/Referred cases	0
	TOTAL	14
3	NOIs issued	0
4	Citations issued	0
5	Consent Orders Signed	0
6	Contributions to the Pollution Recovery Fund	\$0.00
7	Cases Closed	2

D. Inspections

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

	<u>SEP</u>
1 Industrial Facilities	17
2 Air Toxics Facilities	
a. Area Sources (i.e. Drycleaners, Chrome Platers, etc.)	0
b. Major Sources	4
3 Asbestos Demolition/Renovation Projects	22
E. Open Burning Permits Issued	2
F. Number of Division of Forestry Permits Monitored	235
G. Total Citizen Complaints Received	49
H. Total Citizen Complaints Closed	56
I. Noise Complaints Received by EPC (Chapter 1-10)	15
J. Noise Complaints Received by Sheriff's Office (County Ord. #12-12)	237
K. Number of cases EPC is aware that both EPC & Sheriff responded	2
L. List of Historical Sources EPC is aware that both EPC & Sheriff responded	
a. The Rack (3)	
b. 12302 Big Bend	
c. Lake Keystone	
d. Pro Way Recycling (2)	
e. Cheval Athletic Club	
f. Dixie Dockside	
g. 2 Gardenias La Casa De Le Musica Cubana (2)	
h. Airboats on Thonotosassa Lake	
i. Dixie Dockside	
j. Twilight Zone	
k. South Fork - Park	
M. Noise Sources Monitored:	0
N. Air Program's Input to Development Regional Impacts:	1
O. Test Reports Reviewed:	37
P. Compliance:	
1 Warning Notices Issued	5
2 Warning Notices Resolved	5
3 Advisory Letters Issued	3
Q. AOR'S Reviewed	0
R. Permits Reviewed for NESHAP Applicability	4

FY 14 - MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION

SEP

S. Planning Documents coordinated for Agency Review	1
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**FY 14 - MONTHLY ACTIVITIES REPORT
WASTE MANAGEMENT DIVISION**

SEP

A. ENFORCEMENT

1.	New cases received	-
2.	On-going administrative cases	49
	Pending	1
	Active	18
	Legal	3
	Tracking Compliance (Administrative)	26
	Inactive/Referred Cases	1
3.	NOI's issued	-
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	1
4.	Other Permits and Reports	
	County Permits Received	18
	County Permits Reviewed	12
	Reports Received (SW/HW + SQG)	24
	Reports Reviewed (SW/HW + SQG)	29
5.	Inspections (Total)	
	Complaints (SW/HW + SQG)	10
	Compliance/Reinspections (SW/HW + SQG)	22
	Facility Compliance	15
	Small Quantity Generator Verifications	135
	P2 Audits	0
6.	Enforcement (SW/HW + SQG)	
	Complaints Received	22
	Complaints Closed	23
	Warning Notices Issued	0
	Warning Notices Closed	1
	Compliance Letters	103
	Letters of Agreement	0
	Agency Referrals	4
7.	Pamphlets, Rules and Material Distributed	91

C. STORAGE TANK COMPLIANCE

1.	Inspections	
	Compliance	74
	Installation	13
	Closure	12
	Compliance Re-Inspections	4
2.	Installation Plans Received	1

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

SEP

3.	Installation Plans Reviewed	3
4.	Closure Plans & Reports	
	Closure Plans Received	3
	Closure Plans Reviewed	5
	Closure Reports Received	1
	Closure Reports Reviewed	-
5.	Enforcement	
	Non-Compliance Letters Issued	53
	Warning Notices Issued	-
	Warning Notices Closed	-
	Cases Referred to Enforcement	-
	Complaints Received	2
	Complaints Investigated	2
	Complaints Referred	-
6.	Discharge Reporting Forms Received	2
7.	Incident Notification Forms Received	1,01
8.	Cleanup Notification Letters Issued	-

D. STORAGE TANK CLEANUP

1.	Inspections	
2.	Reports Received	
3.	Reports Reviewed	
	Site Assessment Received	
	Site Assessment Reviewed	
	Source Removal Received	
	Source Removal Reviewed	
	Remedial Action Plans (RAP'S) Received	
	Remedial Action Plans (RAP'S) Reviewed	
	Site Rehabilitation Completion Order/No Further Action Rec'd	
	Site Rehabilitation Completion Order/No Further Action Revw'd	
	Active Remediation/Monitoring Received	
	Active Remediation/Monitoring Reviewed	
	Others Received	
	Others Reviewed	

E. RECORD REVIEWS

21

F. LEGAL PIR'S

8

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

SEP

A. ENFORCEMENT

1. New Enforcement Cases Received	1
2. Enforcement Cases Closed	4
3. Enforcement Cases Outstanding	16
4. Enforcement Documents Issued	1
5. Recovered Costs to the General Fund	\$ 1,032
6. Contributions to the Pollution Recovery Fund	\$ 2,000

B. PERMITTING/PROJECT REVIEW - DOMESTIC

1. Permit Applications Received	25
a. Facility Permit	2
(i) Types I and II	1
(ii) Type III	1
b. Collection Systems - General	12
c. Collection systems-Dry Line/Wet Line	11
d. Biosolids Disposal	-
2. Permit Applications Approved	25
a. Facility Permit	1
b. Collection Systems - General	10
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	22
a. Facility Permit	7
b. Collection Systems - General	7
c. Collection systems-Dry Line/Wet Line	8
d. Biosolids Disposal	-

7. Permit Determination	8
8. Special Project Reviews	-
a. Reuse	-
b. Biosolids/AUPs	-
c. Others	-
C. INSPECTIONS - DOMESTIC	
1. Compliance Evaluation	6
a. Inspection (CEI)	6
b. Sampling Inspection (CSI)	-
c. Toxics Sampling Inspection (XSI)	-
d. Performance Audit Inspection (PAI)	-
2. Reconnaissance	34
a. Inspection (RI)	3
b. Sample Inspection (SRI)	-
c. Complaint Inspection (CRI)	31
d. Enforcement Inspection (ERI)	
3. Engineering Inspections	12
a. Reconnaissance Inspection (RI)	1
b. Sample Reconnaissance Inspection (SRI)	-
c. Residual Site Inspection (RSI)	-
d. Preconstruction Inspection (PCI)	-
e. Post Construction Inspection (XCI)	11
f. On-site Engineering Evaluation	-
g. Enforcement Reconnaissance Inspection (ERI)	-
D. PERMITTING/PROJECT REVIEW - INDUSTRIAL	
1. Permit Applications Received	-
a. Facility Permit	-
(i) Types I and II	-
(ii) Type III with Groundwater Monitoring	-
(iii) Type III w/o Groundwater Monitoring	-
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	2
3. Special Project Reviews	-
a. Facility Permit	-
b. General Permit	-

4. Permitting Determination	-
5. Special Project Reviews	33
a. Phosphate	10
b. Industrial Wastewater	7
c. Others	16
E. INSPECTIONS - INDUSTRIAL	
1. Compliance Evaluation (Total)	6
a. Inspection (CEI)	6
b. Sampling Inspection (CSI)	-
c. Toxics Sampling Inspection (XSI)	-
d. Performance Audit Inspection (PAI)	-
2. Reconnaissance (Total)	19
a. Inspection (RI)	3
b. Sample Inspection (SRI)	-
c. Complaint Inspection (CRI)	16
d. Enforcement Inspection (ERI)	-
3. Engineering Inspections (Total)	8
a. Compliance Evaluation (CEI)	7
b. Sampling Inspection (CSI)	-
c. Performance Audit Inspection (PAI)	-
d. Complaint Inspection (CRI)	1
e. Enforcement Reconnaissance Inspections (ERI)	-
F. INVESTIGATION/COMPLIANCE	
1. Citizen Complaints	
a. Domestic	35
(i) Received	23
(ii) Closed	12
b. Industrial	26
(i) Received	18
(ii) Closed	8
2. Warning Notices	
a. Domestic	2
(i) Issued	-
(ii) Closed	2
b. Industrial	2
(i) Issued	-
(ii) Closed	2
3. Non-Compliance Advisory Letters	-
4. Environmental Compliance Reviews	83
a. Industrial	12
b. Domestic	71
5. Special Project Reviews	23

G. RECORD REVIEWS

- | | |
|-----------------------------|---|
| 1. Permitting Determination | 3 |
| 2. Enforcement | - |

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

- | | |
|--------------------------|-----|
| 1. Air Division | 54 |
| 2. Waste Division | - |
| 3. Water Division | 3 |
| 4. Wetlands Division | - |
| 5. ERM Division | 170 |
| 6. Biomonitoring Reports | - |
| 7. Outside Agency | 12 |

I. SPECIAL PROJECT REVIEWS

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

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

SEP

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	59
Timeframes Met	92%
Year to Date	98%

Formal Wetland Delineation Surveys

Projects	7
Total Acres	222
Total Wetland Acres	31
# Isolated Wetlands < 1/2 Acre	1
Isolated Wetland Acreage	0.04

Construction Plans Approved

Projects	8
Total Wetland Acres	42
# Isolated Wetlands < 1/2 Acre	1
Isolated Wetland Acreage	0.1
Impacts Approved Acreage	0.47
Impacts Exempt Acreage	0.1

Mitigation Sites in Compliance

Ratio	12/13
Percentage	92%

Compliance Actions

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

TPA Minor Work Permit

Permit Issued	33
Permits Issued Fiscal Year 2014	279
Cumulative Permits Issue Since TPA Delegation (07/09)	1,077

REVIEW TIMES

# of Reviews	398
% On Time	98%
% Late	2%

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

SEP

A. General

1.	Telephone conferences	466
2.	Unscheduled Citizen Assistance	327
3.	Scheduled Meetings	357
4.	Correspondence	2,576
1/ 5.	Intergency Coordination	102
1/ 6.	Trainings	41
1/ 7.	Public Outreach/Education	3
1/ 8.	Quality Control	49

B. Assessment Reviews

1.	Wetland Delineations	22
2.	Surveys	13
3.	Miscellaneous Activities in Wetland	28
4.	Mangrove	9
5.	Notice of Exemption	2
6.	Impact/Mitigation Proposal	9
7.	Tampa Port Authority Reviews	97
8.	Wastewater Treatment Plants (FDEP)	-
9.	Development Reg'n'l Impact (DRI) Annual Report	-
10	On-Site Visits	71
11	Phosphate Mining	1
12	Comp Plan Amendment (CPA)	-
1/ 13	AG SWM	3
	Sub-Total	

Planning and Growth Management Review

14	Land Alteration/Landscaping	-
15	Land Excavation	-
16	Rezoning Reviews	20
17	Site Development	17
18	Subdivision	42
19	Wetland Setback Encroachment	2
20	Easement/Access-Vacating	-
21	Pre-Applications	48
1/ 22	Agriculture Exemption	-
	Sub-Total	
	Total Assessment Review Activities	

C. Investigation and Compliance

1.	Warning Notices Issued	8
2.	Warning Notices Closed	5
1/ 3.	Complaints Closed	41
4.	Complaint Inspections	41
5.	Return Compliance Inspections for Open Cases	36

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

SEP

6.	Mitigation Monitoring Reports	5
7.	Mitigation Compliance Inspections	25
8.	Erosion Control Inspections	9
9.	MAIW Compliance Site Inspections	8
10	TPA Compliance Site Inspections	8
2/ #	Mangrove Compliance Site Inspections	-
1/ #	Conservation Easement Inspection	5

D. Enforcement

1.	Active Cases	15
2.	Legal Cases	3
3.	Number of "Notice of Intent to Initiate Enforcement"	8
4.	Number of Citations Issued	-
5.	Number of Consent Orders Signed	7
6.	Administrative - Civil Cases Closed	6
7.	Cases Referred to Legal Department	3
8.	Contributions to Pollution Recovery	\$7,779
9.	Enforcement Costs Collected	\$1,855

E. Ombudsman

1.	Agriculture	
2.	Permitting Process & Rule Assistance	
3.	Staff Assistance	
4.	Citizen Assistance	

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 14 POLLUTION RECOVERY FUND
10/1/2013 through 9/30/2014**

REVENUE		EXPENDITURES		RESERVES		NET PRF
EST. Beginning Balance	\$ 553,605	Artificial Reef	\$ 24,439	Minimum Balance	\$ 120,000	
Interest	\$ 3,078	Project Monitoring	\$ 179	PROJ. FY 15 Budgets	\$ 24,618	
Deposits	\$ 111,254	FY 14 Projects	\$ 109,200	Asbestos Removal	\$ 5,000	
Refunds	\$ 22					
Total	\$ 667,959	Total	\$ 133,818	Total	\$ 149,618	\$ 384,523

PROJECT		Project Amount	Project Balance
FY 12 Projects			
Bahia Beach Mangrove Enhancement	10132.102063.581990.5370.1187	\$ 56,700	\$ 56,700
USGS Partnership	10132.102063.581990.5370.1188	\$ 25,000	\$ 18,750
		\$ 81,700	\$ 75,450
FY 13 Projects			
USF Fertilizer Study Peer Review	10132.102063.581990.5370.1189	\$ 25,000	\$ 25,000
Community Partnering Program	10132.102073.582990.5370.0000	\$ 15,000	\$ 15,000
		\$ 40,000	\$ 40,000
FY 14 Projects			
Mercury Collection Public Education	10132.102063.581990.5370.1176	\$ 5,000	\$ 5,000
Electric Car Charging Station Software	10132.102063.581990.5370.1175	\$ 4,200	\$ 2,800
Audubon Oyster Bar Restoration	10132.102063.582990.5370.1177	\$ 50,000	\$ 33,230
Lake Magdalene Outfall	10132.102063.582990.5370.1178	\$ 50,000	\$ 50,000
		\$ 109,200	\$ 91,030
			\$ 206,480

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ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: October 16, 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

October 2014

I. ADMINISTRATIVE CASES

Harold Costello and Veronica Costello [14-EPC-010]: The Appellants filed a Notice of Appeal on September 5, 2014 challenging the issuance of the TPA Minor Work Permit No. 54655. The appeal has been withdrawn and the case will be closed. (AZ)

Jeffrey Willis and Terri Willis [14-EPC-008]: The Appellants filed a Notice of Appeal on July 3, 2014 challenging the issuance of the TPA Minor Work Permit No. 56663. On July 22, 2014 a Hearing Officer was appointed and the appeal was transferred to the Hearing Officer to conduct an administrative hearing in this matter. On July 25, 2014, the Hearing Officer issued an Order of Consolidation joining this appeal with two other appeals that challenge the same Agency decision; 14-EPC-005; 14-EPC-006; and 14-EPC-008. The parties are engaging in discovery and the matter has tentatively been scheduled for a hearing on December 2 and 3, 2014. (AZ)

Larry Kent and Julia Vincent Kent [14-EPC-006]: The Appellants filed a Notice of Appeal on July 3, 2014 challenging the issuance of the TPA Minor Work Permit No. 56663. On July 22, 2014 a Hearing Officer was appointed and the appeal was transferred to the Hearing Officer to conduct an administrative hearing in this matter. On July 25, 2014, the Hearing Officer issued an Order of Consolidation joining this appeal with two other appeals that challenge the same Agency decision; 14-EPC-005; 14-EPC-006; and 14-EPC-008. See above for current status. (AZ)

Randy Ogden and Mindy Ogden [14-EPC-005]: The Appellants filed a Notice of Appeal on July 1, 2014 challenging the issuance of the TPA Minor Work Permit No. 56663. On July 22, 2014 a Hearing Officer was appointed and the appeal was transferred to the Hearing Officer to conduct an administrative hearing in this matter. On July 25, 2014, the Hearing Officer issued an Order of Consolidation joining this appeal with two other appeals that challenge the same Agency decision; 14-EPC-005; 14-EPC-006; and 14-EPC-008. See above for current status. (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. This matter has been placed in abeyance as the parties are discussing options. (AZ)

II. CIVIL CASES

WOB S. Tampa, LLC [14-EPC-003]: On May 15, 2014, the World of Beer in South Tampa filed a Complaint in Civil Court for declaratory and injunctive relief against the City of Tampa and EPC regarding noise pollution issues. A trial is set for early January 2015. (RM)

Gregory S. Hart and Karin Hart [13-EPC-008]: On October 9, 2013, the Plaintiffs filed a Complaint in Civil Court against the EPC alleging defamation. The EPC filed a Motion to Dismiss. Subsequently the Plaintiffs filed a Motion for Default Judgment. A Motion Hearing was held on March 31, 2014 in which the Court heard both the Plaintiffs' Motion for Default and the EPC's Motion to Dismiss. The EPC's Motion to Dismiss was granted with leave to amend and the Plaintiff's Motion for Default was denied. The Plaintiff re-filed an amended complaint and the EPC answered it. The trial in this matter has been scheduled for the week of December 1-5, 2014. (RT)

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 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)

Boyce E. Sinsmeyer [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)

Thomas Jennings and Lorene Hall-Jennings [14-EPC011]: 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 is reviewing the lawsuit and will respond accordingly. (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.

(NONE)

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ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: October 16, 2014

Subject: Select Performance Measure Goals for 2014

Agenda Section: Consent Agenda

Item: Executive Director Report

Recommendation: None – Informational Only

Brief Summary: As part of the Sterling Management process, the Agency measures key activities and has set goals for 2014. These are tabulated and presented quarterly to the Board in the consent agenda.

Financial Impact: No Financial Impact.

Background: The Agency measures performance for all five of its core functions. These core functions include permitting, compliance, complaint investigations, enforcement and environmental monitoring. As part of the Agency's annual evaluation, staff sets goals for select activities and reports them quarterly to the Board. This is an integral part of the continuous improvement required by Sterling.

2014 Goals

Core Function	Measure	Pre-Sterling Year (2009)	2012	2013	2014 YTD (3 rd Qtr)	2014 Goal
Permitting	Average Time to Issue an Intent for State Construction Permits	57 days	36 days	29 days	19 days	Less Than or Equal to 35 days
	Average Time to Issue an Intent for Tampa Port Authority Permits	56 days	43 days	46 days	56 days	Less Than or Equal to 46 days
	Average Time EPC Permits were In-house	21 days	16 days	17 days	20 days	Less Than or Equal to 20 days
Compliance	Timely Resolution of Lower Level Non-Compliance Cases	92%	91%	92%	93%	Greater Than or Equal to 90%
Environmental Complaints	Timely Initiation of Investigation	99%	99+%	99+%	99%	Greater Than or Equal to 99%
Enforcement	Timely Initiation of Enforcement	73%	76 %	94%	96%	Greater Than or Equal to 90%



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: October 16, 2014

Subject: 2014 Third Quarter Action Plan Updates

Agenda Section: Consent Agenda

Item: Executive Director Report

Recommendation: None – Informational Only

Brief Summary: In February 2014, EPC staff brought the finalized versions of the Agency's 2014 action plans to the Board for approval. These measurable action plans are divided into eighteen individual initiatives which support the Agency's strategic priorities for calendar year 2014. The third quarter status reports are listed for all eighteen.

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 2013. 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 eighteen detailed action plans reflecting the Agency's strategic objectives for 2014 were brought to the Board in February 2014 and approved. 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 third quarter of 2014. The owners of select action plans are scheduled to present an overview of their project to the Board at regularly scheduled EPC Board meetings throughout the year.

Many of the action plans 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.

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
1.1 Protection of Groundwater & Soils	Petroleum Program Transformation to Competitive Bidding and Site Rescoring	All EPC Cleanup site managers complete required training for new FDEP procedures.	Staff has completed the (2) required/necessary online training courses that were identified in My Florida Marketplace (MFMP). Quiz/Completion Certification printouts obtained for each site manager. Each site manager attended required FDEP training in Tallahassee or Orlando during April and May 2014. Training will continue to be provided every 6 months. The next training is scheduled for Oct & Nov 2014.



Establish new processes for workflow with an emphasis on paperless submittals and approvals.

Draft flowcharts have been created and implemented for paperless report submittals & reviews and internal work flow processes for new FDEP procedures. The cleanup section FTP site has been established and is accepting reports from customers. All reports in the new MFMP system are being accepted as electronic only by EPC. All program procedures have not been finalized by FDEP so final drafts cannot be completed.

Identify necessary components of work to be tracked in the new workflow process. Utilize funds from the

FDEP procedures are not finalized so this task cannot be fully completed at this time. Originally scheduled for October 2014, but


Petroleum Cleanup task assignment to procure necessary updates to the RTS SQL database.

completion of this task will not be practical by that time. Several needs to the database have been identified and will continue to be tracked.

Identify useful benchmarks that will provide information to measure success in the section.

A list of potential benchmarks has been created and is currently being reviewed by staff and the section manager is researching if the information is available. Scheduled for November 2014.

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
1.2 Protection of Surface Waters	Nutrient Management Initiative	Meet water quality goals for all four major bay segments and major tributaries.	Baywide goals are 38.5% (5yr. Q3 avg.= 16.2 %) and Tributary goals are 84% (5yr. Q3 avg.=73.5%) through 3rd Quarter of 2014*
		Track number of TMDL, BMAP, and related nutrient management meetings attended.	Attended 5 related meetings, 2 tidal creeks sampling events, and 2 FDEP field investigations
		Track progress of ongoing fertilizer study.	No activity for this quarter.

Participate in
community outreach
focused on urban
fertilizer users and
stakeholders.

Presentation to the
Hillsborough River
Watch Task Force on
Fertilizer Rule and
associated BMPs.



*September 2014 data
not yet available

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
1.3 Protection of Air Quality	Community Climate Adaptation (CA) Planning	Identify local experts working on CA and share information.	Met and/or talked with TBEP, Florida Sea Grant group, USF, County Public Works and Planning Commission - all working on Climate Adaptation. Agreed to participate in Florida Sea Grant Technical Working Group/Pinellas Extension. Beginning to coordinate sharing of information.
		Identify good scientific websites on CA.	Current list of websites, reports and presentations now listed on the EPC J:/Drive for everyone's use; needs better format, but is available.
		Develop in-house staff committee on CA.	9 member committee listed on Agency Committee list. Meet



every other month for updates. News stories shared through email. Group helped preview Board presentation.

Identify expert to help educate EPC Board on CA.

Dr. Charlie Paxton, Chief Science Officer, NOAA Ruskin Weather Station spoke at EPC Board Meeting in August.

Determine the need for a new CA local group or join an existing group.

Recently agreed to participate in Florida Sea Grant Regional Workgroup. Have recommended to Dr. Garrity that EPC help form a Hillsborough County group, possibly housed in the County Local Mitigation Strategy Committee. EPC Board voted on a motion for County groups to meet and better coordinate.

Determine need for Hillsborough Climate

Newly formed EPC Climate Adaptation Workgroup (CAW)

Action Plan.

first met on 9/24/14. EPC has recommended sea level rise/climate language be added to regional Planning Documents. It is too early to determine if County needs a formal Climate Action Plan at this time. EPC CAW meetings will begin to look at this. Currently the CAW is looking to expand its membership for better coordination on climate issues. EPC staff will continue to participate in regional initiatives with TBRPC as well.

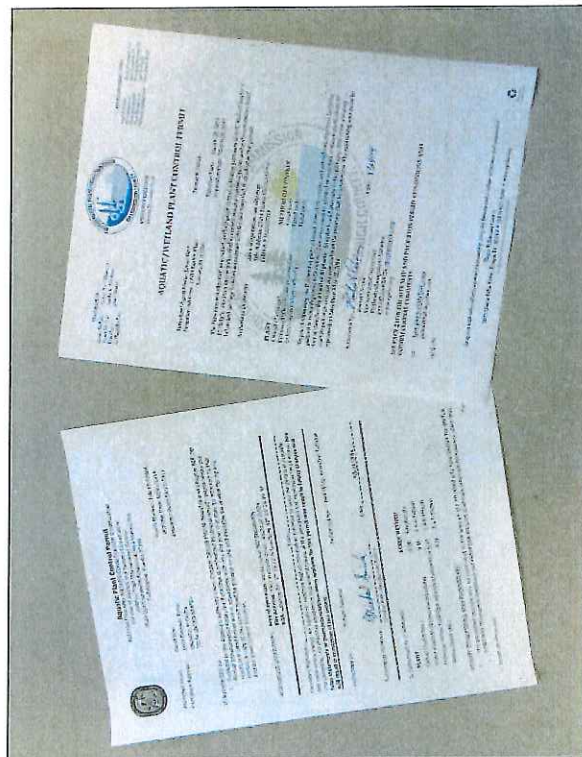
Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goals	Status
1.4 Protection of Wetlands	1.4A - Enhanced Program Delegations and One Stop Permitting	Request to FDEP for delegation of formal wetland and surface water determinations by end of 2014.	Internal discussions have taken place and preliminary review/research of applicable rules to clarify the process. Met with consultant and legal, developed general plan for writing request. Discussed intent with FDEP and determined contacts. Working with admin and Scott E. to finalize funding for consultant. On track for submittal by end of 2014.



Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
1.4 Protection of Wetlands	1.4B - Enhanced Program Delegations and One Stop Permitting	Determine Florida Fish and Wildlife Conservation Commission (FWC) interest.	FWC was contacted in December 2013. FWC seemed interested in delegating vegetation removal permitting in Hillsborough County.
		Research applicable Rules and prepare a MOA.	The research of applicable statutes, procedures, and determination of available workforce has been completed.
		Develop MOA Agreement.	FWC was contacted in early April. An EPC legal intern has researched the applicable rules and statutes. An initial draft format was prepared by the EPC for presentation to the FWC for consideration. The initial draft was submitted to FWC in early September. FWC



legal council is reviewing the document. FWC was last contacted in early October for a status update of their review. We are waiting for their reply.

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goals	Status
1.5 Promote Environmental Stewardship	 <p data-bbox="324 420 479 735">Enhanced Outreach</p>	<p data-bbox="324 735 479 840">Develop mechanism to obtain feedback at outreach events.</p> <p data-bbox="324 840 479 1155">Summarize data for analysis during year-end strategic planning sessions.</p>	<p data-bbox="324 1155 479 1260">Created 5-question General Public Questionnaire. Recorded results from nearly 300 surveys at 8 outreach events since the first of the year. Survey made available in hard copy and electronic formats for easier data collection. All survey results have been entered into electronic system.</p>
		<p data-bbox="487 735 568 1155">Prepare summary of EPC's existing outreach efforts.</p>	<p data-bbox="487 1155 568 1791">Completed. <i>EPC's Outreach & Marketing Summary</i> was finalized following review through the PIE Committee. Report will become reference document to be updated annually by the PIE Committee. Report to be provided to outside consultant once determined.</p>

Research possibility of providing EPC shirts for staff to enhance exposure.

Assisted in purchase of shirts with EPC logo for all staff, which were delivered in Sept.

Research and contact experienced consultants. Execute contract with selected consultant to generate a formal report.

Researched local consultants and interviewed 3 candidates. Executed formal contract with consultant on Sept. 14.

Arrange meeting with Agency regarding recommendations for best delivery mechanism for our environmental message.

Formal meeting with consultant and select Agency staff occurred on Sept. 30. Consultant also scheduled to attend Agency PIE meeting on Oct. 7.

Ensure completion of report and distribution to selected staff for review. Utilize ideas from study for future outreach efforts.

Per contract, DRAFT report due by Oct. 28. Final report expected in Nov., and will be distributed to selected staff accordingly.

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
2.1 Employee Training and Development	Customer Feedback Database Regarding Employees	Obtain employee input	Formed agency committee to discuss implementation of citizen comment database. Obtained employee input regarding database design.
		Identify database structure and cost analysis	Completed database feasibility analysis
		Collect, organize and analyze customer compliments/complaints	Staff has determined database structure and function
		Obtain approval of funding and database structure	Senior Staff has approved funding of the database. Staff has contracted with database consultant.



Develop database and
begin inputting
comments

Draft database is
implemented and being
tested. Will be brought to
Senior Staff in October
2014.

Create policy for data
input and review

Estimated completion
October 2014

Discuss with Senior Staff
how data will be used to
identify trends to
facilitate continuous
improvements to service

Estimated completion
December 2014

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
2.2 Employee Satisfaction	Employee Recognition Program	Comprise a summary of reasonable and meaningful staff recognitions.	<p>A Committee was formed, researched any existing policies. A budget of \$10,000 was established dependent upon FY.</p> <p>Committee solicited EPC staff for ideas, online research was performed, and the use of social software was explored.</p>
		Develop incentives and policies for approved methods of recognitions.	<p>The Committee superseded the July deadline of structuring a list of ideas constructed from EPC employees input and committee research. A tiered recognition program concept has been drafted, presenting to Senior Staff in July. Once a version is</p>





approved then implementation methods will be finalized and policies drafted.

A Three Tiered Recognition & Rewards Program was approved by Senior Staff and policies are currently being drafted. The drafts will be given to Senior Staff for review early in October.

To be released following development of program.

Release final version of an Employee Recognition Program Agency-wide.

To be completed following program implementation.

Look for +2% Increase in staffs' response on future surveys regarding morale, satisfaction, and recognition questions.

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
2.3 Employee Empowerment	Health & Safety Evaluation	3/2014- Establish Action Plan Committee and initiate meetings.	Complete 4/2014.
		4/2014-Obtain, review, and evaluate existing safety SOPs, processes and workflows.	Complete. GAPS are identified for process and workflow. Review and policy updates are ongoing. All existing SOPs have been identified and collected.
		4/2014-Conduct interviews with existing Safety team and Staff.	Complete 6/2014. All existing Safety team members are now Action Team members with continuous input in the process.
		6/2014-Perform GAP analysis and develop summary findings. Seek approval of Senior Staff.	Complete as of 8/2014. PowerPoint presented to Senior Staff. The group agreed that GAP solution approach should continue even though not directly stated in Action Plan. Need Nov./Dec. update to Senior Staff for additional Guidance, including determination



on whether to complete GAPS or assign as part of new action plans.

9/2014-Update Action Plan goals and seek contracted outside assistance if deemed necessary.

Committee met with Mike McNabb, County Director of Risk Management. The need for outside review remains unanswered but is part of ongoing GAP review.

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
3.1 Customer Satisfaction	Tampa Port Authority Minor Work Permit Rule Analysis	Complete written TPA Rule /Policy/Work Practice analysis for Minor Work Permit processes.	Gathered team for inaugural meeting and evaluated potential problems with existing rules.
		Begin Analysis of delegated rules, policies and work practices.	Analysis began in July 2014 and is ongoing.
		Map current application processes for streamlining.	Completed in July 2014.
		Solicit comments and recommendations from dock contractors, waterfront HOA's and other stakeholders for input on rule analysis and process.	To be conducted in October 2014.



Complete draft of TPA Rule amendments for consideration by Senior Staff and TPA Legal.

To be completed November 2014.

Get direction from TPA Board to adopt any potential TPA Rule changes and present final proposed rules to TPA Board for consideration.

To be completed December 2014.

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plan	2014 Year End Goals	Status
3.2 Partnering Relationships	Improved Communication on Priority Economic Projects	Efficiency in EPC permitting for partners and applicants when proposing priority economic projects in Hillsborough County.	Met with Planning Commission (PC) to discuss the Action Plan goals. Met with Economic Development Dept. (EDD) to discuss screening of sites and the criteria for their Competitive Sites List. Received favorable review from both to move forward.
		Draft MOU for EPC, Planning Commission and Economic Development Department review.	Draft MOU completed following internal review. Met w/ Economic Development Department in September to present Draft MOU. Economic Development Department is reviewing the Draft MOU.



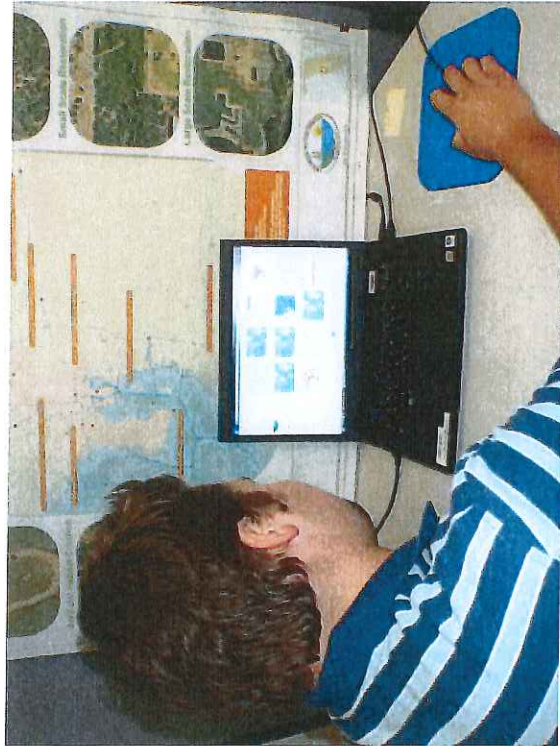
Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goals	Status
3.3 Stakeholder Relationships	Permitting Policy Improvements (PPI)	Develop Draft PPI Policy to include processing requirements for completeness reviews, limiting RAls, and issuance deadlines for all non-delegated, and a few selected delegated Agency permits and authorizations.	Created PPI Committee in February, which consists of representatives of each Division. The Committee will be submitting the PPI Policy to Legal this month, and working with MIS to develop new tracking procedures for delegated programs such as the Tampa Port Authority.
		Eliminate backlog of non-delegated permits in-house over 6 months.	Will begin after development of the PPI Policy.



Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
4.2 Control Expenditures	4.2A - Efficiency Through Connected Databases (ArcGIS Online Feasibility Test)	Recruit GIS interns to assist in R&D	Complete, Interns on-board, on-target and working hard.
		Contact/Meet with ESRI Rep for assistance and support.	Complete, multiple calls and emails performed
		Research existing successful GIS Online sites	Complete
		Interview select GIS Users for input and education	Complete
		Conduct ESRI ArcGIS Online Free Trial	In progress, sign up for trial not necessary
		Several workshops and	The interns continue to



meetings have been held providing all staff with the ability to give input and feedback.

look into requests from staff and create a more finalized product with efficient update procedures.

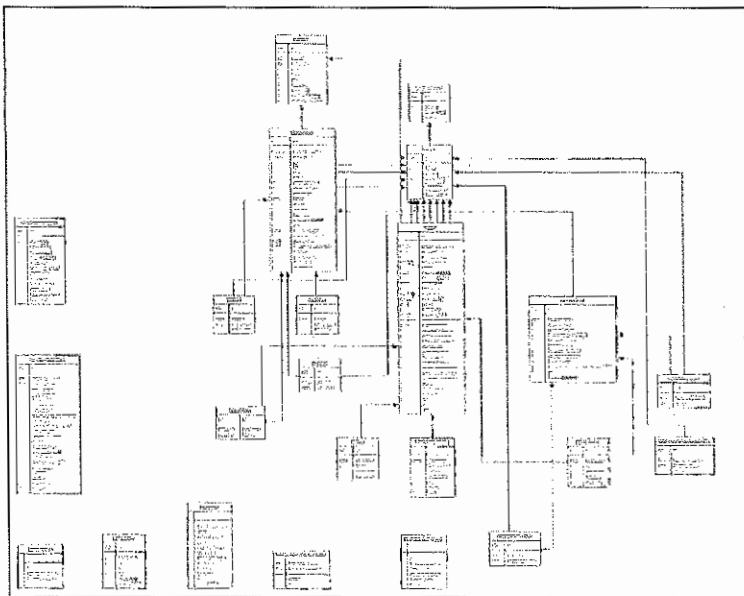
Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
4.2 Control Expenditures	4.2B - Efficiency Through Connected Databases (Connected database Feasibility Test)	Identify and provide a quote to connect database fields identified by Database users group as functionally desirable.	Database consultant mapped remaining databases for a total of 16. Visio maps of databases presented to Database Users Group.

Database Users Group reviewed Visio maps but was unable to identify any desired fields of connectivity.

Decision was made to have each database owner present their database to the group and explain the fields to assist in identifying common fields or desired data to be shared.

Meetings held throughout July for each owner to present and audience to indicate areas of desired connectivity.



Database users group meetings completed and finding summarized.

Database consultant meetings conducted to relate agency database connectivity objectives.

Consultant to deliver quote.

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goals	Status
5.1 Process Performance	Benchmarking EPC	Evaluate Joining Florida Benchmarking Consortium	Completed. Made recommendation to pursue other alternatives.
	Form Benchmarking Committee & Matrix for Selection of Measures to be Benchmarked		Completed
	List possible KPMs, IPMs and Customer Survey and Employee Survey data to benchmark		Completed. Provided status overview at EPC Board Meeting in June 2014.
	Continue investigating sources of comparable data; conduct progress meeting		Ongoing, including enlistment of a consultant to provide assistance



Find sources of outside customer service & employee satisfaction data readily available	Ongoing, consultant assisting
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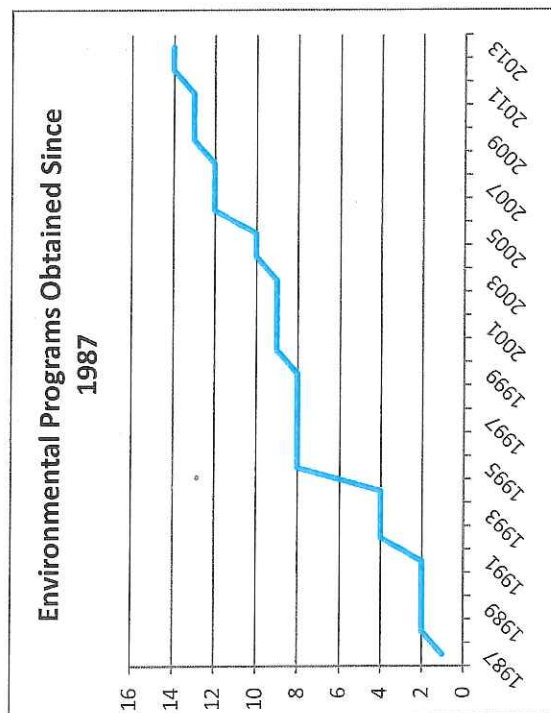
Finalize recommended measures and benchmarking sources and obtain Senior Staff approval	Ongoing, scheduled for November
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Set up method/process of comparable data extraction	Scheduled for December
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Perform first benchmarking evaluation using multiple year comparisons	Scheduled for January 2015
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Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goals	Status
5.1 Process Performance	Continuous Process Improvement Committee	APR 2014: Through committee interaction, define criteria for determining an "innovative process".	Complete. A practice or process which addresses one of more of the "LEAN 8 Wastes" can be viewed as an innovative practice/process.
			Listings of Divisional practices have been compiled and reviewed by Committee.
		MAY 2014: Meet with LEAN Team to evaluate findings.	Complete. LEAN Team review completed in late MAY 2014.
		JUN 2014: Create means of posting innovative practices on EPC intranet.	Pending. Agreement on most effective and useful means of posting information has not been reached. Senior staff to be consulted.



AUG 2014: Research innovative practices employed outside the agency.

Pending/ongoing. Meaningful information continues to be gathered.

SEP 2014: Update and publish new innovative practices.

Incomplete. Means of posting innovative practices remains undecided. Senior staff still to be consulted.

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goals	Status
5.2 Improve the Usage of Technology & E-Pay	Online Applications	Have 10% of EPC applications submitted in the fourth quarter of 2014 done so on-line	Posted 1 st EPC application on website which accepts electronic credit card payment in March 2014
		Have all EPC applications in a standard format and accepted on-line	Assembled Agency-wide Committee to determine which EPC applications would be standardized and posted on-line; Nineteen (19) EPC applications were chosen for standardization and on-line submittal. Four applications were selected. Applications were reviewed with committee and are currently being converted to .pdf and created in web-based forms.



Implement a seamless,
integrated on-line
application submittal and E-
Pay System

Reached out to Julie
Wisdom (County Finance
Department). County will
be bidding for a new
payment vendor and EPC
will be included in the
process. Current method
of e-payments will continue
to be used with new
applications coming online.

Quarterly Update for 2014 Action Plans

Strategic Objective	Action Plans	2014 Year End Goal	Status
5.3 Leadership Development & Succession Planning	Governor's Sterling Award Application	Improve the Action Plan selection process and document same.	This was completed and inserted in the Strategic Plan.
		Have each director initiate an innovative practice in their division.	An innovative project regarding the five core functions has been initiated. Permitting was first. A second one on enforcement has also been started.
		Apply LEAN principles to each of the 2014 Action Plans.	This was completed.



Develop long term goals and select measures for each.	This was completed and inserted in the Strategic Plan.
Evaluate the key elements that motivate employees.	This was completed and new key elements are listed in the Strategic Plan.
Have focus group meetings with different categories of employees.	This has been initiated.
Develop an agency-wide employee recognition program.	Addressed in Action Plan 2.2 which is in progress.
Get Board approval to fund application process.	Cost has been submitted to the County Administrator for FY 15. EPC Board gave favorable recommendation. Budget has been passed.

Establish employee complaint and compliment system.

Addressed in Action Plan 2.1 which is in progress.

Evaluate employee health & safety program.

Addressed in Action Plan 2.3 which is in progress.

Improve Outreach.

Addressed in Action Plan 1.5 which is in progress.

Benchmark the Agency's performance.

Addressed in Action Plan 5.1 which is in progress.

Pursue continuous process improvement.

Addressed in Action Plan 5.1 which is in progress.

Assemble GSA team and start the application.

Team is set. August Kickoff events were held. Org Profile revisions are underway.

Complete Categories
One through Seven in
the application.

Category One draft has
launched ahead of
schedule.

Prepare final draft of
GSA application.

Final drafting starts in April
2015.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: October 16, 2014

Subject: 10 Year Water Quality Monitoring Update

Agenda Section: Regular Agenda

Item: Water Management Division

Recommendation: Informational Report

Brief Summary: Provide the Commission with an update on the EPC's Water Quality Monitoring Program and highlight water quality and environmental monitoring trends in Hillsborough County over the last decade.

Financial Impact: No Financial Impact

Background: The Environmental Protection Commission of Hillsborough County (EPCHC) was established in 1967 by the Florida Legislature and charged with maintaining "standards which will insure the purity of all waters and soils consistent with public health and public enjoyment thereof, the propagation and protection of wildlife, birds, game, fish, and other aquatic life" (Chapter 84-446 Laws of Florida). As part of this mandate, the EPCHC established and maintains a county-wide surface water quality monitoring (WQM) program. This presentation will provide an update on the program and highlight water quality trends in Hillsborough County over the last decade.

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ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: October 16, 2014

Subject: Approval of 2014 Pollution Recovery Fund Grant Projects

Agenda Section: Regular Agenda

Item: Water Management Division

Recommendation: Recommend: 1) Concurrence with EPC Staff and CEAC to fund Tampa Bay Watch - Rock Ponds Wetland Restoration Project for \$50,000, Hillsborough County Economic Development and UF/IFAS Extension Service- Agriculture Pesticide Collection Day for \$24,241.00, and East Lake Park Homeowners - East Lake Watershed Education and Rookery Restoration Project for \$5,011.61 for a total of \$79,252.61 of Pollution Recovery Funds. 2) Staff also recommends that the Commission authorize the Chair, on a continuing basis, to execute the approved PRF agreements in substantially the same format as the form PRF Agreement drafted by the Legal Department and that the EPC Chair, after staff consultation, may execute future amendments that involve non-material changes or reasonable deadline extensions as may be necessary from time to time. The minor amendments will not involve changes in funding.

Brief Summary: EPC staff and CEAC have reviewed the Calendar Year 2014 Pollution Recovery Fund project applications. Each application is reviewed for legal sufficiency (compliance with the EPC Act and Chapter 1-9 Rules of the EPC) and technical merit (can the project be permitted, and is it based on sound scientific knowledge). A total of 6 applications were received this year. Both EPC staff and CEAC are recommending approval of 3 projects for funding as described above and in the attached project summary list.

Financial Impact: Financial Impact to Pollution Recovery Fund is \$79,252.61 to be paid out of existing funds.

Background: EPC staff and CEAC have reviewed the Calendar Year 2014 Pollution Recovery Fund project applications. Each application is reviewed for legal sufficiency (compliance with the EPC Act and Chapter 1-9 Rules of the EPC) and technical merit (can the project be permitted, and is it based on sound scientific knowledge). A total of 6 applications were received this year. Both EPC staff and CEAC are recommending approval of 3 projects for funding as described above and in the attached project summary list.

EPC staff also recommends that the Commission authorize the Chair, on a continuing basis, to execute the approved PRF agreements in substantially the same format as the form PRF Agreement drafted by the Legal Department and that the EPC Chair, after staff consultation, may execute future amendments that involve non-material changes or reasonable deadline extensions as may be necessary from time to time. The minor amendments will not involve changes in funding.

List of Attachments: Application summary sheet and ranked score sheet

2014 Project Requests for Pollution Recovery Funds

A14-01 Reducing Water Pollution and Bird Mortality Caused by Fishing Gear in Hillsborough County

Applicant: **Tampa Audubon Society**

Project Details Project objectives will strive to mitigate the effects of fishing line pollution on birds. The objectives are two-fold: (1) To educate fishermen, pier and park operators, and the general public about proper care and disposal of their fishing line and gear and how to prevent or deal with hooked and entangled birds, and (2) Provide hands-on, physical tending to birds that have been hooked or entangled in fishing line.

PRF Request: \$37,500.00

Project Manager: Sandra Reed

Total Cost: \$80,800.00

Phone: 813-956-6096

A14-02 Agriculture Pesticide Collection and Education Day

Applicant: **Hillsborough County Economic Development & UF/IFAS Extension Service**

Project Details The purpose of this program is to collect and properly dispose of agricultural pesticides that cannot, or should no longer be used. Pesticides will be collected from farms throughout Hillsborough County. The collection will occur at the County contracted Hazardous Waste Collection Provider site. The PRF funds will only be used for collection and disposal at the County approved Hazardous Waste Collection provider.

PRF Request: \$24,241.00

Project Manager: Simon Bollin

Total Cost: \$27,311.80

Phone: (813) 276-2735

A14-03 Erosion Control/Oysterbar Habitat Creation Phase III

Applicant: **National Audubon Society, inc. dba Audubon Florida**

Project Details The project proposes to create an oyster bar on the south side of Bird Island to control erosion of the bird sanctuary islands and control pollution by providing substrate for oysters that will filter water, and promote growth of salt marsh grass and mangrove vegetation. This project will add to and complete the successful erosion control oyster habitat installed in Spring 2011 to protect the shoreline from further erosion. Audubon has secured funding from the Environmental Protection Commission of Hillsborough County and the Tampa Bay Estuary Program for the first two phases of the project. This final phase of funding would install the balance of the breakwater, protecting and enhancing the entire southern shoreline of the Alafia Bank Bird Island.

PRF Request: \$50,000.00

Project Manager: Ann Paul

Total Cost: \$76,500.00

Phone: 813-623-6826

A14-04 East Lake Watershed Education & Rookery Restoration Project

Applicant: **East Lake Park Homeowners**

Project Details Project consists of two components. 1) Two workshops will be held designed to educate those who live, work and attend high school within the East Lake Watershed regarding ways to lessen human impacts on fresh water resources. 2) Abate the nutrient loading caused by water fowl at East Lake through the construction of floating islands with suspended aquatic plant roots to increase the absorption of harmful nutrients and fecal coliform in the water column. The installation of 120 feet by 4 feet in floating islands will reduce erosion to the existing Audubon rookery island from motor boats, filter harmful nutrients, provide additional shielding, habitat and food for the birds, provide natural shading and increased food for the fish, and improve the aesthetic appearance of the island.

PRF Request: \$5,011.61

Project Manager: Hal Hart

Total Cost: \$13,011.61

Phone: 8136906771

2014 Project Requests for Pollution Recovery Funds

A14-05 Rock Ponds Wetland Restoration Project

Applicant: **Tampa Bay Watch, Inc.**

Project Details Project aims to create critical coastal wetland habitat that will restore essential fish and wildlife habitats, and aide in the improvement of water quality from pollution due to urban and agricultural runoff. Tampa Bay Watch will partner with schools in their Bay Grasses in Classes program (BGIC) to provide plants and student volunteers to plant salt marsh plugs at designated sites. The main goal for the Rock Ponds Wetland Restoration Project is to increase the abundance of a healthy native salt marsh and create a beneficial ecosystem for biodiversity.

PRF Request: \$50,000.00

Project Manager: Martha Gruber

Total Cost: \$85,600.00

Phone: 727-867-8166

A14-06 Mitigation for Least Tern Nesting Habitat

Applicant: **Flatwoods Consulting Group**

Project Details Project will create suitable Least Tern Nesting Habitat to mitigate for nest habitat loss due to development by building floating rafts in Cockroach Bay. Funds will provide materials for 2 rafts estimated at \$4350 each by the builder. The remaining cost of the project is the value of the volunteers to build the rafts and help survey the colony. Funding will be used for experienced avian biologists to survey the colony, band chicks and train volunteers.

PRF Request: \$25,000.00

Project Manager: Lauren Deaner

Total Cost: \$56,450.00

Phone: 410-688-2097

PRF Application Score Sheet – 2014

EPC Ranked Review Criteria Score	Project	Applicant	Funds Requested	Comments
55	A14-04 East Lake Watershed Education and Rookery Restoration Project	East Lake Park Homeowners	\$5,011.61	Low cost community program will provide workshops for home owners and enhance island habitat for birds and reduce nutrients with installation of floating islands.
53	A14-02 Agriculture Pesticide Collection and Education Day	Hillsborough County Economic Development & UF/IFAS Extension Service	\$24,241.00	Program provides a means to collect and dispose of agricultural pesticides; this will be the third of a series of successful events funded though PRF.
52	A14-03 Erosion Control/Oysterbar Habitat Creation Phase III	National Audubon Society, Inc. dba Audubon Florida	\$50,000.00	Second request for funds for next phase of an existing open PRF project to install oyster domes along Bird Island. The breakwater provides protection for the southern shore of the island.
52	A14-05 Rock Ponds Wetland Restoration Project	Tampa Bay Watch, Inc.	\$50,000.00	Partnership with Bay Grasses in Classes Program to create critical coastal wetland habitat and is part of the larger SWFWMD SWIM Rock Ponds Restoration Project.
44	A14-01 Reducing Water Pollution and Bird Mortality Caused by Fishing Gear in Hillsborough County	Tampa Audubon Society	\$37,500.00	Two part project to educate public about proper care and disposal of fishing line and gear and hands on tending to hooked birds.
41	A14-06 Mitigation for Least Tern Nesting Habitat	Flatwoods Consulting Group	\$25,000.00	Project will create suitable Least Tern Nesting Habitat to mitigate for nest habitat loss due to development by building floating rafts in Cockroach Bay.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: October 16, 2014

Subjects: (1) Request for Commission action to allow staff to complete negotiations with FDEP for additional delegation under Environmental Resource Permitting Rule; (2) Request Commission action to allow staff to complete negotiations with FFWCC for delegation of aquatic plant control permitting; (3) Informational Item regarding ongoing staff activities in cooperation with Port Tampa Bay regarding potential rule revisions; (4) Informational Item regarding increasing citizen concerns over shoreline erosion problems on lakes with wake-boarding vessels.

Agenda Section: Regular Agenda

Item: Wetlands Management Division

Recommendations: (1) Approve staff request to complete negotiations with FDEP and bring final delegation back to the Commission; (2) Approve staff recommendation to complete negotiations with FFWCC and bring final delegation agreement back to the Commission; (3) Accept informational item on coordination with Port Tampa Bay; (4) Accept report on shoreline erosion and staff approach to deal with the situation at this time.

Brief Summary: (1) **FORMAL SURFACE WATER LINE DELEGATION:** EPC currently has a partial delegation from FDEP for permitting activities under the state Environmental Resource Permitting (ERP) program. FDEP staff agree that EPC Wetlands staff are qualified at setting legally binding jurisdictional surface water determinations using state methods and that the EPC has the resources to implement the state program. This additional delegation would allow EPC staff to issue surface water determinations that are binding on the Water Management District and the FDEP and reduces the need to apply to different agencies for surface water determinations. (2) **AQUATIC PLANT CONTROL DELEGATION:** Currently both EPC and Florida Fish and Wildlife Conservation Commission (FFWCC) staff are required to visit lake shorelines when citizens request permission to undertake aquatic plant control activities along shorelines. FFWCC staff are tentatively in agreement with EPC that providing EPC the authorization to issue aquatic plant control permits on behalf of FFWCC will streamline the permitting process in Hillsborough County without reducing environmental protections. (3) **PORT TAMPA BAY RULE REVISIONS:** EPC staff and Port Tampa Bay staff have developed a close and productive working relationship. Representatives from the two agencies have been meeting and working on potential revisions to the Port Submerged Lands Management Rules for consideration by the Port Tampa Bay. In addition, the staff of both agencies are discussing possible modifications to the Port's legislative Enabling Act. (4) **EROSION ISSUES ON LAKES:** Over the past few months, Dr. Emery has been a participation in several outreach events in northwest Hillsborough County during which citizens from multiple lakes have expressed deep concerns over increasing shoreline erosion resulting from high wave action. A new type of boat (wake boarding) is designed to produce very large waves to promote wake boarding and even surfing. An unintended result appears to be increased erosion along lake shorelines (including wetland habitats). EPC staff are currently researching the technologies available to absorb/attenuate wave energy in freshwater and marine systems, for possible use by citizens with lake shore erosion issues.

Financial Impact: (1) Financial impact will be minimal as EPC staff already conducts surface water determinations in Hillsborough County. (2) Little or no financial impact will result from FFWCC delegation as the current proposal will only be for issuance of aquatic plant control permits but not denials or legal defense of the decisions. There will be roughly 1 additional hour of staff time per site for EPC to complete the FFWCC forms.

(3) There will be no negative financial impacts associated with Port Tampa Rule modifications. Revisions are expected to reduce litigation so impacts may be positive. (4) There should be little to no financial impact on the agency in researching technologies potentially useful to waterfront homeowners.

Background:

(1) FORMAL SURFACE WATER LINE DELEGATION:

The Commission has repeatedly indicated its support for consolidation of permitting activities to create as much of a “one stop permitting” approach as possible. EPC wetland scientists have trained for multiple years with FDEP’s Tallahassee –based team of Jurisdictional surface water determination experts. Per these FDEP experts, EPC wetland scientists are now qualified to establish these legally binding lines on behalf of the state FDEP and the Southwest Florida Water Management District. This delegation will streamline the process, as EPC scientists generally will already be conducting a surface water delegation under our local program. This delegation will allow the state to formally accept the EPC line and avoid a second surface water determination.

(2) AQUATIC PLANT CONTROL DELEGATION:

The Commission has repeatedly indicated its support for consolidation of permitting activities to create as much of a “one stop permitting” approach as possible. EPC wetland scientists have worked closely with FFWCC scientists for many years on aquatic plant control related matters. FFWCC does not have an office within Hillsborough County. They must travel substantial distances to reach these water bodies. Per these FFWCC staff, EPC wetland scientists should be qualified to undertake the delegation of FFWCC rules regarding issuance of aquatic plant control permitting within Hillsborough County. This delegation will streamline the process as EPC scientists generally will be on-site under our local program for review of aquatic plant control activities. The amount of extra time to implement this program would be limited to the filling out of an additional FFWCC form and working with the citizen regarding this form.

(3) PORT TAMPA BAY RULE REVISIONS:

For Port Tampa Bay - delegated activities, the Wetlands Management Division and legal staff are working with the Port to make amendments to its Submerged Lands Management Rules to clarify marine construction permitting issues and address concerns related to legal challenges. The EPC Legal Department is preparing amendments to the Port’s rules to be discussed with Port staff. Our combined staffs are also discussing possible modifications to the Enabling Act.

(4) EROSION ISSUES ON LAKES:

Over the past few months, Dr. Emery has been a participation in several outreach events in northwest Hillsborough County during which citizens from multiple lakes have expressed deep concerns over increasing shoreline erosion resulting from high wave action. A new type of boat (wake boarding) is designed to produce very large waves to promote wake boarding and even surfing. An unintended result appears to be increased erosion along lake shorelines (including wetland habitats). EPC legislative authority does not include the operation and control over boats or other vessels. EPC staff are currently researching the technologies available to absorb/attenuate wave energy in freshwater and marine systems for possible use by citizens with lake shore erosion issues.

Recommendations: (1) Authorize staff to complete the delegation agreement and bring it back to the Commission at a future date; (2) Authorize staff to complete the delegation agreement and bring it back to the Commission at a future date; (3) Accept this progress report; (4) Accept this informational item.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: October 16, 2014

Subject: Civil Service Job Classification and Pay Range Study for EPC

Agenda Section: Regular Agenda

Item: Legal and Administrative Services Division

Recommendation: Informational Report

Brief Summary: Based on a February 20, 2014 EPC Commission vote, the Civil Service Office conducted a job classification study and a compensation range study including a classification review of selected EPC positions and a review of compensation survey data. The result of the *job classification study* was that of the 24 positions reviewed, 21 positions were recommended for reclassification. The Civil Service staff found that 3 of the positions were appropriately classified. The *compensation range study* indicated that Hillsborough County salary ranges for some environmental classifications are slightly lower than the average for comparable environmental classifications in other agencies surveyed. However, not all EPC classifications in each classification series were found to be significantly lower than the survey averages. In order to maintain the existing class level relationships with all environmental and general County classifications, pay grade adjustments for selective environmental classifications are not recommended at this time.

Financial Impact: Financial Impact to Personnel Character 10 Funding is approximately \$60,000 to be paid out of existing funds if possible. An additional personnel budget transfer may be required in the Fiscal Year.

Background:

Based on a February 20, 2014 EPC Commission vote, the Civil Service Office conducted a classification and compensation study including a classification review of selected EPC positions and a review a compensation survey data compiled for benchmark environmental classifications in comparable Florida organizations.

Classification Study

In a preliminary meeting with Civil Service staff, Dr. Garrity indicated that organizational downsizing experienced over the last several years resulted in the reassignment of job duties and responsibilities to remaining classified positions within the EPC. The reassignment of job duties and responsibilities within the agency impacted a number of EPC positions that may be functioning at a higher level within the organization. Additionally, new regulatory responsibilities were assumed by the EPC during this period that affected the nature, scope, and level of work assigned to some positions within the organization. To ensure that classified EPC positions are appropriately classified and compensated, an independent study was conducted to review positions that had assumed higher level job duties and responsibilities.

Of the 24 positions reviewed during the EPC study, the Civil Service staff recommended the reclassification of 20 classified positions to a higher level classification and one vacant position to a lower level classification. While 21 positions were recommended for reclassification, the Civil Service staff found that 3 positions were appropriately classified.

Dr. Garrity reviewed the classification findings and recommendations, and concurred with all of the position reclassifications proposed by the Civil Service staff. It was decided that October 5, 2014, the beginning of the first payroll period in FY 2014/15, would be the effective date of the reclassifications. Reclassification approval letters will be issued by the Civil Service Office advising the EPC to process personnel action forms for all positions to be reclassified.

Compensation Study

While no obvious major compensation range problems are currently thought to exist at the agency, on February 20, 2014 the EPC Commission requested the Civil Service staff conduct a compensation survey to determine if current pay ranges assigned to EPC classifications are competitive within the labor market. Current salary ranges for specialized environmental classifications and other general County classifications used by the EPC have generally provided a competitive compensation structure for EPC positions assigned to progressive levels of professional, supervisory, and managerial classifications. Current compensation management provisions have afforded the EPC with flexibility to provide staff with competitive salaries and the ability to approve salary adjustments based on merit.

The Civil Service staff compiled salary range data for selected environmental classifications in comparable organizations within the State of Florida, including the counties of Pinellas, Orange, Duval, Osceola, Leon, and Alachua, and the cities of Tampa, St. Petersburg, Orlando and Tallahassee. The compensation survey addressed specialized EPC classifications including the Environmental Specialist I, II, and III, Environmental Supervisor and Environmental Manager classification series; the Environmental Scientist I, II and Chief Environmental Scientist classification series; the Hydrologist and Sr. Hydrologist classification series; and the Professional Geologist classification.

The salary survey indicated that Hillsborough County salary ranges for some environmental classifications are slightly lower than the average for comparable environmental classification in other agencies surveyed. However, not all EPC classifications in each classification series were found to be significantly lower than the survey averages. In an effort to maintain the existing class level relationships with all environmental and general County classifications, pay grade adjustments for selective environmental classification are not recommended at this time.

Adjusting the pay grade assignment for some, but not all classifications in a multiple level classification series would cause compression with other environmental classifications in the class series by disrupting the standard two pay grade compensation differentials that currently separate progressive levels within each classification series. Approving selective pay range adjustments for some environmental classifications would disrupt existing class level relationships with other EPC and County classifications. It is also noted that many classifications used by the EPC are used by other BOCC Departments and County agencies. Selective salary range adjustments to classifications used in other County agencies would have an immediate financial impact on these other agencies.

It was agreed that a salary range structure adjustment affecting all County classifications would be preferable to adjusting selected EPC classifications at this time. Until a general across-the-board pay plan adjustment is approved, other compensation management techniques can be used to equitably compensate EPC staff members as they progress through the current EPC classification structure.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: October 16, 2014

Subject: EPC Executive Director's Annual Evaluation

Agenda Section: Regular Agenda

Division: Legal and Administrative Services Division

Recommendation: Present evaluation forms

Brief Summary: Executive Director Evaluation forms were distributed during the week of September 8th and at the September 18, 2014 EPC Board meeting. These forms are used to evaluate the performance of the EPC's Executive Director, Dr. Richard Garrity. Dr. Garrity has also supplied the Commission with a Self-Evaluation, Strategic Plan Outline, 2014 Annual Goals regarding Core Functions, 2012, 2013 and 2014 YTD Results for Performance goals, 2014 Customer Survey Results Summary (9 categories), 2013 Employee Survey Response to Overall Satisfaction, Summary of past five years Institutional Performance Measures and the 2013 Sterling Challenge Feedback Report Executive Summary. The evaluation forms that are scored and returned to the Chairman's office will be tabulated and presented at the October 2014 meeting.

Financial Impact: None.

Background: NA

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