

EPC COMMISSIONERS

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



Richard Garrity, PhD
Executive Director

Richard Tschantz, Esq.
General Counsel

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY**

**MEETING AGENDA
MAY 17, 2012**

*Commissioner's Board Room
601 East Kennedy Boulevard, Tampa, FL
County Center 2nd Floor
May 17, 2012 at 9:00 am*

INVOCATION AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF CHANGES TO THE AGENDA

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

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VIII. EXECUTIVE DIRECTOR REPORT

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Any person who might wish to appeal any decision made by the Environmental Protection Commission 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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An agency with values of environmental stewardship, integrity, honesty, and a culture of fairness and cooperation.

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APRIL 19, 2012 - ENVIRONMENTAL PROTECTION COMMISSION - DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting scheduled for Thursday, April 19, 2012, at 9:00 a.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida

The following members were present: Chairman Kevin Beckner and Commissioners Victor Crist (arrived at 9:03 a.m.), Ken Hagan, Al Higginbotham, Lesley Miller Jr., and Sandra Murman.

The following member was absent: Commissioner Mark Sharpe.

▶ Chairman Beckner 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, spoke about Mr. Glenn Lockwood, a recently deceased EPC employee.

I. PUBLIC COMMENT

▶ Chairman Beckner called for public comment; there was no response.

II. CITIZENS' ENVIRONMENTAL ADVISORY COMMITTEE (CEAC)

Report from the CEAC Chairman - Janet Dougherty

▶ Ms. Dougherty highlighted CEAC meeting discussion topics.

III. CONSENT AGENDA

A. Approval of Minutes: March 22, 2012.

B. Monthly Activity Reports.

C. Pollution Recovery Fund Report.

D. Gardinier Settlement Trust Fund Report.

E. Legal Case Summary, April 2012.

▶ Chairman Beckner called for a motion to approve the Consent Agenda. **Commissioner Miller so moved, seconded by Commissioner Murman, and carried six to zero.** (Commissioner Sharpe was absent.)

IV. PUBLIC HEARING

Carmen Smith Barkett's Request for a Wetland Rule Waiver

► Chairman Beckner called for a motion to open the public hearing. Commissioner Miller moved to open, seconded by Commissioner Murman, and carried six to zero. (Commissioner Sharpe was absent.) ► Attorney Richard Tschantz reviewed the request and staff recommendation. ► Attorney Andrew Zodrow, EPC Legal Department, expounded on background material. Attorney Tschantz explicated the ramifications of granting the request. ► Attorney Vincent Marchetti, P.O. Box 3099, Tampa, summarized the case history. Mr. John Landon, 31622 North U.S. Highway 19, Palm Harbor, displayed/described photographs and spoke to activity on the property. Attorney Marchetti noted background material, commented on staff reports and the proposed order, and agreed with the Findings of Fact and Conclusions of Law.

► Ms. Diane Campo-Ekonomou, 907 Oak Hollow Place, read from a prepared statement, as supplied in background material. ► Mr. Todd Amaden, 1309 Providence Road, offered testimony. Following comments and reiteration of the request and staff recommendation, Chairman Beckner called for public comment; there was no response. Subsequent to discussion and remarks, ► Commissioner Crist moved staff recommendation and asked the recommendation be done as quickly as possible and a full and complete financial impact statement of all related costs be calculated and brought back to the EPC as a public statement, seconded by Commissioner Murman. Following clarification, the motion to approve staff recommendation carried five to one; Commissioner Miller voted no. (Commissioner Sharpe was absent.) After commenting on creating buffers between neighboring properties, ► Commissioner Crist restated the motion was to obtain a full and complete impact statement of all costs related to the case published and brought forward to the EPC for public statement, seconded by Commissioner Miller, and carried six to zero. (Commissioner Sharpe was absent.)

V. WATER MANAGEMENT DIVISION

A. Ten-Year Summary of Water Quality in Hillsborough County

► After expounding on a presentation provided in background material, Mr. Richard Boler, EPC, answered questions posed by Commissioner Crist. ► Dr.

Garrity participated in discussion concerning funding/collaborative efforts. Commissioner Crist opined on recruiting student assistance. ► Staff and EPC Board members offered appreciative/congratulatory sentiments to Mr. Boler, noting his upcoming retirement.

- B. Tampa Bay Environmental Fund: Presenters, Dr. Holly Greening, director, and Mr. David Moore, Tampa Bay Estuary Program

► After introducing Mr. Moore, who outlined a presentation and responded to EPC member queries, ► Dr. Greening participated in discussion, explicating fund contributions. Following remarks about public/private partnerships, ► Commissioner Crist moved to ask the County Administrator, the County Attorney, and the EPC Director to open a discussion on how Hillsborough County could best contribute to the success of the Tampa Bay Estuary fund and report back to the Board of County Commissioners within 45 days on a position, including the possibility of being a funding sponsor, seconded by Commissioner Murman. Chairman Beckner sought to create criteria as to how the fund was established and funded and to present some funding opportunities. Commissioner Crist agreed. ► The motion carried six to zero. (Commissioner Sharpe was absent.)

- C. Staff Response to Citizen Concern from Mr. John Vogel

► Mr. Sam Elrabi, Director, EPC Water Management Division, displayed photographs and explained environmental normality.

VI. WASTE MANAGEMENT DIVISION

- A. Update on the Brownfields Mapping Project by the Tampa Hillsborough Economic Development Corporation (EDC)

► Mr. Hooshang Boostani, Director, EPC Waste Management Division, gave the update on website completion and map inclusion. Mr. Randy Smith, EDC, highlighted website features and responded to Chairman Beckner regarding available information and next steps.

- B. Update on Residential Drywall Disposal Issue

► Mr. Boostani relayed background information and reported on disposal activity. ► Mr. Joseph and Ms. Julie Mraz, 14367 Sweat Loop Road, gave thanks, touched on bad business practices, and responded to inquiries from Commissioner Crist. ► Discussion ensued. Assistant County Attorney Hank

THURSDAY, APRIL 19, 2012 - DRAFT MINUTES

Ennis spoke to homeowner options. ► Messrs. Randy Canal and John Clifford, Republic Services, offered remarks.

VII. EXECUTIVE DIRECTOR REPORT

- A. 2012 First Quarter Action Plan Updates
- B. EPC Celebrating May as Clean Air Month

► Dr. Garrity mentioned the 2012 Clean Air Fair. Chairman Beckner sought a motion to defer the remainder of the Executive Director report to the next EPC meeting. ► **Commissioner Miller so moved, seconded by Commissioner Higginbotham, and carried four to zero.** (Commissioners Hagan and Murman were out of the room; Commissioner Sharpe was absent.)

► There being no further business, the meeting was adjourned at 10:58 a.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
PAT FRANK, CLERK

By: _____
Deputy Clerk

yc

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**FY 12 - MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION**

APR

A. Public Outreach/Education Assistance

1.	Phone calls	245
2.	Literature Distributed	101
3.	Presentations	1
4.	Media Contacts	1
5.	Internet	68
6.	Host/Sponsor Workshops, Meetings, Special Events	0

B. Industrial Air Pollution Permitting

1.	Permit Applications received (Counted by Number of Fees Received)	
	a. Operating	13
	b. Construction	2
	c. Amendments / Transfers / Extensions	0
	d. Title V Operating:	0
	e. Permit Determinations	3
	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	5
	b. Construction ^1	2
	c. Amendments / Transfers / Extensions^1	1
	d. Title V Operating ^2	15
	e. Permit Determinations	0
	f. General	3
3.	Intent to Deny Permit Issued	0

C. Administrative Enforcement

1.	New cases received	1
2.	On-going administrative cases	
	a. Pending	1
	b. Active	6
	c. Legal	1
	d. Tracking compliance (Administrative)	9
	e. Inactive/Referred cases	0
	TOTAL	17
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	1

**FY 12 - MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION**

APR

D. Inspections

1.	Industrial Facilities	14
2.	Air Toxics Facilities	
	a. Area Sources (i.e. Drycleaners, Chrome Platers, etc.)	5
	b. Major Sources	2
3.	Asbestos Demolition/Renovation Projects	20

E. Open Burning Permits Issued

0

F. Number of Division of Forestry Permits Monitored

264

G. Total Citizen Complaints Received

51

H. Total Citizen Complaints Closed

50

I. Noise Sources Monitored

1

J. Air Program's Input to Development of Regional Impacts

0

K. Test Reports Reviewed

69

L. Compliance

1.	Warning Notices Issued	11
2.	Warning Notices Resolved	2
3.	Advisory Letters Issued	2

M. AOR's Reviewed

0

N. Permits Reviewed for NESHAP Applicability

2

O. Planning Documents coordinated for Agency Review

2

**FY 12 - MONTHLY ACTIVITIES REPORT
WASTE MANAGEMENT DIVISION**

APR

A. ENFORCEMENT

1.	New cases received	-
2.	On-going administrative cases	83
	Pending	2
	Active	28
	Legal	9
	Tracking Compliance (Administrative)	43
	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 (\$)	\$ 755
7.	Enforcement Costs Collected (\$)	\$ -
8.	Cases Closed	1

B. SOLID AND HAZARDOUS WASTE

1.	FDEP Permits Received	1
2.	FDEP Permits Reviewed	2
3.	EPC Authorization for Facilities NOT Requiring DEP Permit	0
4.	Other Permits and Reports	81
	County Permits Received	34
	County Permits Reviewed	14
	Reports Received (sw/hw + sqg)	15
	Reports Reviewed (sw/hw + sqg)	18
5.	Inspections (Total)	198
	Complaints (sw/hw + sqg)	19
	Compliance/Reinspections (sw/hw + sqg)	14
	Facility Compliance	24
	Small Quantity Generator Verifications	141
	P2 Audits	0
6.	Enforcement (sw/hw + sqg)	130
	Complaints Received	19
	Complaints Closed	18
	Warning Notices Issued	3
	Warning Notices Closed	0
	Compliance Letters	84
	Letters of Agreement	0
	Agency Referrals	6
7.	Pamphlets, Rules and Material Distributed	79

C. STORAGE TANK COMPLIANCE

1.	Inspections	
	Compliance	72
	Installation	4
	Closure	3
	Compliance Re-Inspections	6

**FY 12 - MONTHLY ACTIVITIES REPORT
WASTE MANAGEMENT DIVISION**

APR

2.	Installation Plans Received	2
3.	Installation Plans Reviewed	3
4.	Closure Plans & Reports	
	Closure Plans Received	-
	Closure Plans Reviewed	1
	Closure Reports Received	2
	Closure Reports Reviewed	3
5.	Enforcement	
	Non-Compliance Letters Issued	39
	Warning Notices Issued	1
	Warning Notices Closed	1
	Cases Referred to Enforcement	-
	Complaints Received	1
	Complaints Investigated	-
	Complaints Referred	-
6.	Discharge Reporting Forms Received	1
7.	Incident Notification Forms Received	2
8.	Cleanup Notification Letters Issued	1

D. STORAGE TANK CLEANUP

1.	Inspections	37
2.	Reports Received	86
3.	Reports Reviewed	94
	Site Assessment Received	14
	Site Assessment Reviewed	13
	Source Removal Received	1
	Source Removal Reviewed	2
	Remedial Action Plans (RAP'S) Received	8
	Remedial Action Plans (RAP'S) Reviewed	9
	Site Rehabilitation Completion Order/No Further Action Rec'd	1
	Site Rehabilitation Completion Order/No Further Action Revw'd	2
	Active Remediation/Monitoring Received	37
	Active Remediation/Monitoring Reviewed	42
	Others Received	25
	Others Reviewed	26

E. RECORD REVIEWS

17

F. LEGAL PIR'S

6

**FY 12 - MONTHLY ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

APR

A. ENFORCEMENT

1.	New Enforcement Cases Received	2
2.	Enforcement Cases Closed	-
3.	Enforcement Cases Outstanding	40
4.	Enforcement Documents Issued	1
5.	Recovered Costs to the General Fund	\$ 198
6.	Contributions to the Pollution Recovery Fund	\$ 1,000

B. PERMITTING/PROJECT REVIEW - DOMESTIC

1.	Permit Applications Received	17
	a. Facility Permit	6
	(i) Types I and II	1
	(ii) Type III	5
	b. Collection Systems - General	3
	c. Collection systems-Dry Line/Wet Line	10
	d. Residuals Disposal	-
2.	Permit Applications Approved	17
	a. Facility Permit	5
	b. Collection Systems - General	3
	c. Collection systems-Dry Line/Wet Line	6
	d. Residuals Disposal	-
3.	Permit Applications Recommended for Disapproval	3
	a. Facility Permit	-
	b. Collection Systems - General	-
	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	42
	a. Facility Permit	11
	b. Collection Systems - General	9
	c. Collection systems-Dry Line/Wet Line	22
	d. Residuals Disposal	-
7.	Permit Determination	6
8.	Special Project Reviews	

**FY 12 - MONTHLY ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

APR

a. Reuse	1
b. Residuals/AUPs	4
c. Others	-

C. INSPECTIONS - DOMESTIC

1. Compliance Evaluation	12
a. Inspection (CEI)	5
b. Sampling Inspection (CSI)	7
c. Toxics Sampling Inspection (XSI)	-
d. Performance Audit Inspection (PAI)	-
2. Reconnaissance	32
a. Inspection (RI)	8
b. Sample Inspection (SRI)	1
c. Complaint Inspection (CRI)	22
d. Enforcement Inspection (ERI)	1
3. Engineering Inspections	12
a. Reconnaissance Inspection (RI)	2
b. Sample Reconnaissance Inspection (SRI)	-
c. Residual Site Inspection (RSI)	-
d. Preconstruction Inspection (PCI)	2
e. Post Construction Inspection (XCI)	8
f. On-site Engineering Evaluation	-
g. Enforcement Reconnaissance Inspection (ERI)	-

D. PERMITTING/PROJECT REVIEW - INDUSTRIAL

1. Permit Applications Received	4
a. Facility Permit	-
(i) Types I and II	-
(ii) Type III with Groundwater Monitoring	-
(iii) Type III w/o Groundwater Monitoring	4
b. General Permit	-
c. Preliminary Design Report	-
(i) Types I and II	-
(ii) Type III with Groundwater Monitoring	-
(iii) Type III w/o Groundwater Monitoring	-
2. Permits Recommended to DEP for Approval	-
3. Special Project Reviews	1
a. Facility Permit	1
b. General Permit	-
4. Permitting Determination	-
5. Special Project Reviews	44

**FY 12 - MONTHLY ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

APR

a. Phosphate	6
b. Industrial Wastewater	9
c. Others	29

E. INSPECTIONS - INDUSTRIAL

1. Compliance Evaluation (Total)	14
a. Inspection (CEI)	14
b. Sampling Inspection (CSI)	-
c. Toxics Sampling Inspection (XSI)	-
d. Performance Audit Inspection (PAI)	-
2. Reconnaissance (Total)	19
a. Inspection (RI)	7
b. Sample Inspection (SRI)	-
c. Complaint Inspection (CRI)	12
d. Enforcement Inspection (ERI)	-
3. Engineering Inspections (Total)	15
a. Compliance Evaluation (CEI)	15
b. Sampling Inspection (CSI)	-
c. Performance Audit Inspection (PAI)	-
d. Complaint Inspection (CRI)	-
e. Enforcement Reconnaissance Inspections (ERI)	-

F. INVESTIGATION/COMPLIANCE

1. Citizen Complaints	
a. Domestic	24
(i) Received	13
(ii) Closed	11
b. Industrial	10
(i) Received	6
(ii) Closed	4
2. Warning Notices	
a. Domestic	16
(i) Issued	7
(ii) Closed	9
b. Industrial	
(i) Issued	3
(ii) Closed	1
3. Non-Compliance Advisory Letters	12
4. Environmental Compliance Reviews	151
a. Industrial	46
b. Domestic	105

**FY 12 - MONTHLY ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

APR

5. Special Project Reviews	6
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G. RECORD REVIEWS

1. Permitting Determination	6
2. Enforcement	1

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

1. Air division	54
2. Waste Division	-
3. Water Division	11
4. Wetlands Division	-
5. ERM Division	149
6. Biomonitoring Reports	10
7. Outside Agency	28

I. SPECIAL PROJECT REVIEWS

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

**FY 12 - MONTHLY ACTIVITIES REPORT
WETLANDS MANAGEMENT DIVISION**

APR

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	47
Timeframes Met	98%
Year to Date	99%

Formal Wetland Delineation Surveys

Projects	11
Total Acres	54
Total Wetland Acres	18
# Isolated Wetlands < 1/2 Acre	1
Isolated Wetland Acreage	0.26

Construction Plans Approved

Projects	10
Total Wetland Acres	4
#Isolated Wetlands < 1/2 Acre	3
Isolated Wetland Acreage	0.29
Impacts Approved Acreage	0.87
Impacts Exempt Acreage	0.87

Mitigation Sites in Compliance

Ratio	173/180
Percentage	96%

Compliance Actions

Acreage of Unauthorized Wetland Impacts	0.90
Acreage of Wtaer Quality Impacts	0.00
Acreage Restored	0.80

TPA Minor Work Permit

Permit Issued	7
Permits Issued Fiscal Year 2011	103
Cumulative Permits Issue Since TPA Delegation (07/09)	532

REVIEW TIMES

# of Reviews	268
% On Time	98%
% Late	2%

WETLANDS MANAGEMENT DIVISION

APR

A. General

1.	Telephone conferences	695
2.	Unscheduled Citizen Assistance	373
3.	Scheduled Meetings	302
4.	Correspondence	1,636
1/ 5.	Intergency Coordination	289
1/ 6.	Trainings	50
1/ 7.	Public Outreach/Education	11
1/ 8.	Quality Control	19

B. Assessment Reviews

1.	Wetland Delineations	18
2.	Surveys	12
3.	Miscellaneous Activities in Wetland	22
4.	Mangrove	11
5.	Notice of Exemption	2
6.	Impact/Mitigation Proposal	17
7.	Tampa Port Authority Reviews	63
8.	Wastewater Treatment Plants (FDEP)	1
9.	Development Regn'l Impact (DRI) Annual Report	-
10.	On-Site Visits	65
11.	Phosphate Mining	2
12.	Comp Plan Amendment (CPA)	-
1/ 13.	AG SWM	5
	Sub-Total	

Planning and Growth Management Review

14.	Land Alteration/Landscaping	1
15.	Land Excavation	-
16.	Rezoning Reviews	9
17.	Site Development	23
18.	Subdivision	16
19.	Wetland Setback Encroachment	1
20.	Easement/Access-Vacating	-
21.	Pre-Applications	47
1/ 22.	Agriculture Exemption	-
	Sub-Total	
	Total Assessment Review Activities	

C. Investigation and Compliance

1.	Warning Notices Issued	6
2.	Warning Notices Closed	4
1/ 3.	Complaints Closed	33
4.	Complaint Inspections	40

WETLANDS MANAGEMENT DIVISION

APR

5.	Return Compliance Inspections for Open Cases	18
6.	Mitigation Monitoring Reports	16
7.	Mitigation Compliance Inspections	20
8.	Erosion Control Inspections	12
9.	MAIW Compliance Site Inspections	21
10.	TPA Compliance Site Inspections	14
2/ 11	Mangrove Compliance Site Inspections	1
1/ 12	Conservation Easement Inspection	2

D. Enforcement

1.	Active Cases	9
2.	Legal Cases	5
3.	Number of "Notice of Intent to Initiate Enforcement"	4
4.	Number of Citations Issued	-
5.	Number of Consent Orders Signed	2
6.	Administrative - Civil Cases Closed	9
7.	Cases Referred to Legal Department	5
8.	Contributions to Pollution Recovery	\$ 575
9.	Enforcement Costs Collected	\$ 266

E. Ombudsman

1.	Agriculture	7
2.	Permitting Process & Rule Assistance	6
3.	Staff Assistance	5
4.	Citizen Assistance	8

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**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 12 POLLUTION RECOVERY FUND
10/1/2011 through 4/30/2012**

REVENUE		EXPENDITURES		RESERVES		NET PRF
Beginning Balance	\$ 641,781	Artificial Reef	\$ 136,652	Minimum Balance	\$ 120,000	
Interest	\$ 3,332	Project Monitoring	\$ 123,507	PROJ. FY 13 Budgets	\$ 203,459	
Deposits	\$ 54,131	FY 12 Projects	\$ 106,700	Asbestos Removal	\$ 5,000	
Refunds	\$ 52,984					
Total	\$ 752,228	Total	\$ 366,859	Total	\$ 328,459	\$ 56,910



PROJECT		Project Amount	Project Balance
FY 10 Projects			
#09-01 - Basis of Review for Borrow Pit Applications	EPE30442	\$ 68,160	\$ 3,369
#09-02 - Effects of Restoration on Use of Habitat	EPE30443	84,081	43,621
#09-03 - Artificial Wetland Cells	EPE30444	5,500	2,169
#09-04 - Pilot Project for Outfall Water Quality Lake Mag	EPE30446	92,000	81,213
		\$ 249,741	\$ 130,372
FY 12 Projects			
Bahia Beach Mangrove Enhancement	EPE30449	\$ 56,700	\$ 56,700
Fertilizer Rule Implementation	EPE40206	\$ 50,000	\$ 50,000
		\$ 106,700	\$ 106,700
			\$ 237,072

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**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 12 GARDINIER SETTLEMENT TRUST FUND
10/1/2011 - 4/30/2012**

Fund Balance as of 10/1/11	\$ 254,131
Interest Accrued	725
Disbursements FY 12	(90,602)
Fund Balance	<u>\$ 164,254</u>
Encumbrances Against Fund Balance:	
SP634 Cockroach Bay ELAPP Restoration	\$ 164,254
Total Encumbrances	<u>\$ 164,254</u>
Fund Balance Available	<u><u>\$ -</u></u>

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EPC Agenda Item Cover Sheet

Date of EPC Meeting: May 17, 2012

Subject: Legal Case Summary for May 2012

Agenda Section: Consent Agenda

Division: Legal and Administrative Services

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; informational 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. 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. – permit or enforcement order), while concurrently attempting to seek resolution of the agency action.

List of Attachments: May 2012 EPC Legal Case Summary

EPC LEGAL DEPARTMENT MONTHLY REPORT
May 2012

I. ADMINISTRATIVE CASES

Hillsborough County [12-EPC-003]: On March 20, 2012, the EPC received a Request for a Waiver from Hillsborough County regarding a waiver from a portion of the EPC Wetland rule. The Applicant is requesting a waiver to the Conservation Easement requirement for mitigation areas in excess of 0.5 acres, Section 1-11.08(6)(e), Rules of the EPC. Upon completion of the staff review, the request will be scheduled for a public hearing. (AZ)

Carmen Smith Barkett [11-EPC-012]: On November 21, 2011, the EPC received a Request for Variance or Waiver from Carmen Smith Barkett. The Applicant requested a Variance or Waiver to allow for the filling in of a portion of an artificially created pond partially located on the Applicant's property. The request was heard at a noticed public hearing on March 22, 2012 and April 19, 2012. The board approved the staff's recommendation authorizing a waiver of the wholly owned requirement in the exemption subject to the Applicant meeting all other requirements of the exemption. The matter is now closed. (AZ)

John T. Keenan [11-EPC-013]: On November 28, 2011 the Appellant, John T. Keenan, filed a request for an extension of time to file an Appeal to challenge EPC's issuance of a Minor Work Permit for modifications to an existing dock. The request was granted and the Appellant ultimately filed a Notice of Appeal on January 12, 2012. Based on the filing of the administrative appeal and based on an additional review of the proposed structure the EPC Executive Director has amended the permit decision requiring the applicant to modify the structure. The applicant has until June 21, 2012 to modify the dock structure or the permit application will be denied. (AZ)

II. CIVIL CASES

Peter L. Kadyk/Eco Wood Systems, Inc. [11-EPC-007]: On August 18, 2011, the Commission granted authority to pursue appropriate legal action against Defendant Peter L. Kadyk/Eco Wood Systems, Inc. for failure to comply with the terms of a signed Consent Order to resolve Chapter 1-11 wetlands violations. (AZ)

6503 US Highway 301, LLC [LEPC10-021]: On November 4, 2010, the EPC Legal Department filed a Complaint for Civil Penalties and Injunctive Relief against the new owner Defendant 6503 US Highway 301, LLC. This case is a continuation of the previous action against SJ Realty for environmental violations at the former 301 Truckstop site on Highway 301. The parties are in negotiation to settle the matter. (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. (RM)

Charles H. Monroe, individually, and MPG Race Track LTD [LEPC09-017]: On September 17, 2009 the EPC Board granted authority to take legal action against Respondents for violations of the EPC Act and EPC Rule Chapter 1-11. A Citation was issued on June 29, 2009, the Respondent failed to appeal the citation and it became a final order of the Agency enforceable in Court. (AZ)

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, thus on May 8, 2012, EPC filed a motion to enforce the Settlement. (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. (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.

Speeding, Incorporated [12-EPC-004]: On April 23, 2012, the Petitioner, Speeding, Incorporated, filed a request for an extension of time to challenge a draft Air Operating Permit. The extension was granted and the Petitioner has until May 23, 2012 to file an administrative challenge. (RM)

Cordoba-Ranch Development, LLC [11-EPC-008]: On September 9, 2011 the Appellant, Cordoba-Ranch Development, LLC, filed a request for an extension of time to file an Appeal challenging the Citation to Cease and Order to Correct Violation that was issued on August 25, 2011. The extension was granted and the Appellant has until September 10, 2012 to file a Notice of Appeal in this matter. (AZ)

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EPC Agenda Item Cover Sheet

Date of EPC Meeting: May 17, 2012

Subject: Transfer of 1.5 FTEs, totaling \$85,617, from the Pollution Recovery Fund to General Fund

Agenda Section: Consent Agenda

Division: Water Management Division

Recommendation: Authorize the transfer of 1.5 FTEs, totaling \$85,617, from the Pollution Recovery Fund to General Fund

Brief Summary: Staff requested this change in our FY 13 budget submittal to the County Administrator. The County Administrator does not object as long as the EPC Board concurs with the request.

Financial Impact: This request will increase money available for environmental restoration projects without increasing EPC's general fund budget due to efficiencies identified below.

Background: Within our March 15, 2012 budget submittal to the County Administrator, staff requested portions of three permanent positions totaling 1.5 FTEs (\$85,617) currently under the Pollution Recovery Fund (PRF) budget be transferred to the Environmental Monitoring general fund. These staff positions are performing water quality monitoring work in support of surface water quality improvements. However, with recently reduced collections, the fund can no longer support this work along with the performance of restoration projects. To offset the request, staff made the following estimated cost reductions to compensate for the request: an accountant position was eliminated for FY 13 (\$35,996); a supervisor position was re-classified down to a specialist position (\$39,475); and we have re-hired retirements & vacancies at or near base (\$73,199). These general fund efficiency savings total \$148,670. Authorizing the transfer will still result in a \$63,053 savings to the general fund while increasing money available for environmental restoration projects by \$85,617. With these decisions, along with our continued commitment to EPC's Sterling Management Objectives of maximizing outside funding and controlling expenditures, we expect that EPC's FY 13 recommended general fund budget will be less than planned.

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EPC Agenda Item Cover Sheet

Date of EPC Meeting: May 17, 2012

Subject: Barkett/Ekonomou – County Staff Time Expenditure

Agenda Section: Consent Agenda

Division: Wetlands Management Division

Recommendation: Accept Report

Brief Summary: At the April 19, 2012 Commission meeting, the Commission granted a Petition for a variance or waiver of a portion of the EPC Wetland Rule Section 1-11.11(1)(b)(ii), Rules of the EPC. The request was filed by Carmen Smith-Barkett but the decision applied to the Barkett's property as well as the adjoining property owned by the Ekonomou's. During the Public Hearing, the Commission also passed a motion directing staff to calculate an estimate of both the County and EPC staff's time that has been devoted to this ongoing property dispute. Attached is a report of the estimated staff hours and costs to date as requested by the Board.

Financial Impact: As noted in the attached report.

BARKETT - EKONOMOU

EST. STAFF HOURS & COSTS	ESTIMATED HOURS	ESTIMATED COST
EPC	221	\$ 13,388.84
Development Review - Stormwater	46	\$ 1,870.82
Natural Resources Development Review	24	\$ 976.05
TOTAL	291	\$ 16,235.71

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EPC Agenda Item Cover Sheet

Date of EPC Meeting: May 17, 2012

Subject: Agency-wide Rule Revision Update and Request for Public Hearing

Agenda Section: Regular Agenda

Division: Water Management Division and Legal and Administrative Services Division

Recommendation: Approve setting of a Public Hearing to amend multiple EPC rules.

Brief Summary: In the spring of 2011, Dr. Garrity instructed EPC staff to review the EPC's rules that are promulgated by the EPC Board and provide suggested revisions to rules that are obsolete, contrary to new legislation, confusing, and/or unnecessary. Staff proposes revisions to at least eight rules and proposes to repeal in its entirety an obsolete air pollution rule, Chapter 1-8, Rules of the EPC (Mobile Source). To accomplish these rule revisions a public hearing must be held. EPC staff request that a public hearing and Commission action be taken on June 28, 2012.

Financial Impact: No Financial Impact.

Background: The EPC Act, Section 5, provides that the EPC Board has the power to adopt, revise, and amend rules reasonably necessary for the implementation and effective enforcement, administration, and interpretation of the EPC Act to provide for the effective control of pollution. In the spring of 2011, Dr. Garrity instructed EPC staff to review the EPC's rules that are promulgated by the EPC Board and provide suggested revisions to rules that are obsolete, contrary to new legislation, confusing, and/or unnecessary. An employee from each division was assigned to review the rules managed by that employee's division and provide suggestions. Staff proposes revisions to at least eight rules and the repeal of one air rule. The rule Chapters proposed to be revised include Chp. 1-1 (General Rules), Chp. 1-2 (Administrative Procedures), Chp. 1-3 (Stationary Air Pollution Sources and Ambient Air Quality Standards), Chp. 1-5 (Water Quality Standards), Chp. 1-7 (Waste Management), Chp. 1-9 (Pollution Recovery Fund), Chp. 1-10 (Noise Pollution), and Chp. 1-12 (Storage Tank Rule). Staff also proposes to repeal in its entirety an obsolete air pollution rule, Chp. 1-8 (Mobile Source). The majority of the changes delete or revise rule sections that are obsolete, such as references to old agencies or old laws. Revisions to Chp. 1-10 are intended to eliminate the regulation of noise emanating from shooting ranges, as it arguably could be viewed as a local rule regulating fire arms, which is prohibited by recent legislation. In addition to clarifications of the EPC's permit noticing rules, Chp. 1-2 adds a provision on the procedures to revoke non-delegated permits similar to Florida's law. To accomplish these rule revisions a public hearing must be held pursuant to Section 5 of the EPC Act. EPC staff request that for all the noted rules a public hearing be held and Commission action be taken on June 28, 2012.

List of Attachments: None

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EPC Agenda Item Cover Sheet

Date of EPC Meeting: May 17, 2012

Subject: Clean Air Month Update

Agenda Section: Regular Agenda

Division: Air Management Division

Recommendation: Informational Report

Brief Summary: Once again this year, EPC is celebrating the month of May as Clean Air Month. On May 3, 2012, EPC was very proud to host the 11th Annual Clean Air Fair in downtown Tampa. The Clean Air Fair is the signature public outreach event annually organized by EPC. This year's fair included 44 exhibitors with an estimated attendance of over 1,000 visitors. EPC also hosted the 11th Annual EPC Clean Air Month Photo Contest in conjunction with the Hillsborough County School System. All Hillsborough County high school students were eligible for the contest and the winning photographs are being recognized during the EPC meeting.

Financial Impact: No Financial Impact

Background: EPC has recognized the national designation of the month of May as Clean Air Month since the 1970's. EPC has embraced this celebration since 2000 through the hosting of community events, environmental presentations to local schools, and promotion of environmental contests. While the activities related to Clean Air Month have been reduced in recent years, EPC is proud to continue recognition of Clean Air Month through two primary public outreach events.

On May 3, 2012, EPC was pleased to host the 11th Annual Clean Air Fair at Poe Plaza in downtown Tampa from 11:30am-1:30pm. EPC established this year's theme for Clean Air Month as "*Fueling Our Future for a Brighter Tomorrow*", which focuses on the use of cleaner fuels and alternative technologies to help reduce air pollution. The goal of the fair was to highlight local air quality and to promote a healthy environment through public education. Each year, the event seeks to recognize environmentally-conscious organizations and companies that contribute towards making our community a better place to live. As our signature public outreach event, the Clean Air Fair continues to grow annually, with 44 exhibitors attending this year. The free lunchtime event included a variety of environmental and health information, complimentary refreshments and food items, giveaways, prize drawings and live music. Through the generous donations of our exhibitors and the community, the event was funded for less than two hundred dollars.

EPC also hosted the 11th Annual EPC Clean Air Month Photo Contest in conjunction with the Hillsborough County School System. The annual environmental photography competition is offered to high school students in an effort to recognize Clean Air Month and encourage increased awareness of the environment and air quality. The aim of the competition is to inspire the imagination of young artists to consider environmental issues facing the community. The winning photographs are being recognized during the EPC meeting. The winners and selected honorable mentions representing 4 local high schools were displayed at the Clean Air Fair and will also appear in the lobbies of county center and EPC.

- List of Attachments:**
1. Clean Air Fair flyer
 2. Clean Air Month Photo Contest flyer

Clean Air Fair 2012



*“Fueling Our Future
for a
Brighter Tomorrow”*

PLEASE JOIN THE CELEBRATION
at this *free event* in honor of Clean Air Month!

Date: Thursday, May 3, 2012

Time: 11:30 am - 1:30 pm

Location: Poe Plaza, downtown Tampa
(Between Hyatt Regency and One Tampa City Center
on Jackson @ Franklin Street)

-
- Environmental and Community Exhibits • Prize Drawings for Gift Cards and Local Attractions • Complimentary Refreshments and Food Items • Transportation Exhibits and Bike/Pedestrian Demonstrations • Health and Safety Information • Live Music •
-

The Environmental Protection Commission
of Hillsborough County
3629 Queen Palm Drive · Tampa · FL 33619
(813) 627.2600 ext 1271 • www.ep3chc.org

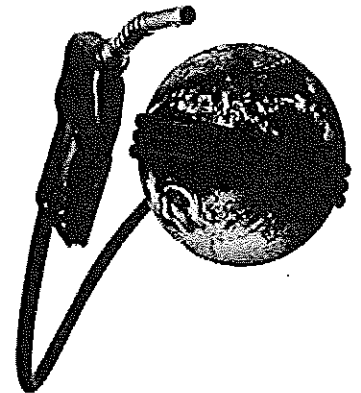


11th Annual Environmental Photo Contest

In honor of **Clean Air Month, May 2012**, the Environmental Protection Commission of Hillsborough County (EPC) is inviting your classroom to participate in the **11th Annual Clean Air Month Photo Contest**. Photos will be juried by a local photographer and EPC staff. Selected photos will be exhibited throughout the community from May – September 2012.

Topic - This year's theme is **Fueling Our Future For A Brighter Tomorrow**, and relates to the use of cleaner fuels and alternative technologies to help reduce air pollution. We encourage you to incorporate these concepts and/or others listed below into your photography:

- Examples of how cleaner fuels reduce air pollution in Hillsborough County
- Examples of alternative fuels/technologies being used in the County
- Examples of air quality concerns or pollutants in Hillsborough County
- Examples of Hillsborough County residents enjoying clean air
- Examples of good air quality in Hillsborough County



Awards/Recognition:

- **\$150 donation to the Art Department of the first place winner**
- **First place student -- \$150 Series EE U.S. Savings Bond to the student**
- **Second place student -- \$100 Series EE U.S. Savings Bond to the student**
- **Third place student -- \$75 Series EE U.S. Savings Bond to the student**
- **Certificates awarded to Winners and Honorable Mentions**
- Many submittals to be **exhibited at EPC's Roger P. Stewart Center lobby** through September 2012
- Finalists and select others to be **displayed at EPC's Clean Air Fair** on May 3, 2012 in downtown Tampa

Specifications:

- Photo may be black and white, color, or hand-colored/embellished photography
- Student may use point and shoot, 35mm or digital camera, and photos may be lab developed
- Photos may be 2-dimensional or 2-dimensional relief using any media, however 80% must be photography
- Photos may be from postcard size to no larger than 2' x 3' (in any direction)
- Each student may submit up to two pieces of photography for the contest

Requirements:

- Photos must be related to air quality and taken in Hillsborough County
- Photos must be matted
- On the back of each artwork the student must include **two copies** of (see attached information form):
 - Description of photography and how it relates air quality
 - Complete contact information including: name, address, school, home phone number, etc.

Important Date:

- **Deadline:** Hand deliver or send via school mail to Dana Warner, Supervisor, Middle/Secondary Art & Humanities by **April 13, 2012**

Students ... Have you?

- Matted the photo?
- Met the size requirement? (not to exceed 2' x 3')
- Completed all sections of the student info form?
- Attached student info on the back of photo?
- Included a second copy of student info form with submittal?

The following information must be completed and attached to the photo.

Please provide a separate second copy to be included with the submittal.

2012 Clean Air Month Photo Contest
Photography Information Form

Art Student's Name: _____ Grade: _____

Name of Parent or Guardian: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (home): _____ (cell): _____

School: _____ Art Teacher: _____

Art Teacher's Phone: _____ Title of Entry: _____

Medium: _____

Please describe how the photo relates to Clean Air Month:



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EPC Agenda Item Cover Sheet

Date of EPC Meeting: May 17, 2012

Subject: Funding for Clean Cities Coalition

Agenda Section: Regular Agenda

Division: Air Management Division

Recommendation: Staff recommends EPC Board vote to approve authorizing the Executive Director to use \$15,000 from EPC's Air Pollution specialty funds, to provide partial funding for start up of Clean Cities Coalition for the Tampa Bay area.

Brief Summary: Under the direction of Commissioner Sharpe's Energy Management & Sustainability Work Group, EPC staff has been coordinating with TECO and the Patel School of Global Sustainability with USF to start a Clean Cities Coalition (CCC) for Tampa Bay. The CCC is a US Department of Energy program designed to promote alternative fuels and reduce petroleum usage. The Work Group has started limited initiatives with electric vehicles and with compressed natural gas a vehicle fuel and the CCC would assist in making these efforts more regionalized. The funding being requested is already in EPC's operating budget and would be a onetime contribution to help the CCC get started for the first year. TECO has pledged \$5,000 and the Patel School is offering \$15,000 plus some in-kind services.

Financial Impact: There will be no impact on the general fund. The requested monies are already in the EPC's Tag Fee operating budget for this year.

Background: The US Department of Energy (DOE) has over 90 approved Clean Cities Coalitions (CCC) across the country, and Tampa Bay is one of the few major metropolitan areas without one in place. Having a CCC, allows an area to bring together public and private organizations to try and reduce petroleum dependency. This is done by promoting initiatives like public recharge stations for electric vehicles and assisting fleet conversions to compressed natural gas. Once an area has applied and been approved by DOE, they also have a priority in receiving DOE grants. These grants can bring money and new technology to the communities the CCC serves.

The first year for a CCC is spent organizing, hosting various meetings and completing other task assigned by DOE. Once these are completed the CCC can apply for approval and for a yearly DOE stipend to assist its continued operation. Commissioner Sharpe's Work Group and EPC's Office of Sustainability have identified this as a worthy initiative and are attempting to team up with TECO and the Patel School to get it started. The City of Tampa, the Regional Planning Council and others will be encouraged to join as we go forward and make this a regional program.

List of Attachments: None.

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EPC Agenda Item Cover Sheet

Date of EPC Meeting: May 17, 2012

Subject: FDEP Contract with the Storage Tank Compliance Department

Agenda Section: Regular Agenda

Division: Waste Management Division

Recommendation: Approval

Brief Summary: Proposal to conduct compliance verification inspections in Hillsborough and Manatee Counties

Financial Impact: Funding provided by Florida Department of Environmental Protection

Background: Since 1988 the FDEP has contracted with the EPC to implement a pollutant storage tank system compliance verification program for Hillsborough County. The contract is renewed every ten years with work assignments negotiated through annual task assignment agreements. The Storage Tank Compliance Department performs inspections on approximately 1400 regulated storage tank systems which include compliance, installation, closure and discharge inspections plus complaint investigations. The task assignment for the upcoming year will cover 50 percent inspection rate (one inspection per facility every two years). Additionally, the FDEP is proposing that we conduct similar inspections of over 200 regulated storage tank systems in Manatee County. Staff is seeking Board approval to accept the expansion of the contract in order to inspect the storage tank systems in Manatee County.

List of Attachments: None.

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EPC Agenda Item Cover Sheet

Date of EPC Meeting: May 17, 2012

Subject: Lakes Initiative Report

Agenda Section: Regular Agenda

Division: Wetlands Management

Recommendation: Informational Report

Brief Summary: Report #3 of the Series. Provides advanced information on important and potentially controversial issues related to lakes, wetlands, rivers, springs, estuarine systems to allow the Board to better assist citizens. This month includes: Lake Hooker MFL, Alafia River North and South Prongs MFL, plus updates on Morris Bridge and Blue Sinks.

Financial Impact: No Financial Impact

Background: This Agenda Item, named the Lakes Initiative Report, is a semi-regular part of the Board Agenda items. This report is designed to provide the Board with advanced information pertaining to potential issues of concern to multiple citizens of Hillsborough County relating to the following items: lakes, rivers, springs, and estuaries.

Citizens who live on the shores of lakes, rivers, springs, and estuaries often do so because they value the aesthetic and recreational aspects of waterfront living. In many instances, these citizens pay property taxes that exceed similar sized parcels of land that do not have water access or water views. Citizens are justifiably concerned with, and protective of, the hydrology, ecology, and water quality conditions of their local water body. Multiple projects (both public and private) involve water bodies, and can, potentially, have negative effects on these.

This, the third installment (May, 2012) of this series of reports provides the Board with background information on: Lake Hooker, Alafia River North and South Prongs, plus Morris Bridge Sink and Blue Sink updates.

As a part of the report on each water body, EPC will provide the name and contact information of the person at EPC most knowledgeable of the particular issue. EPC will also provide to the Board members offices: (1) detailed maps of the locations of each water body; and (2) a matrix that contains essential information on each water body.

List of Attachments: Copy of Power Point Presentation titled "Lakes Initiative Report"

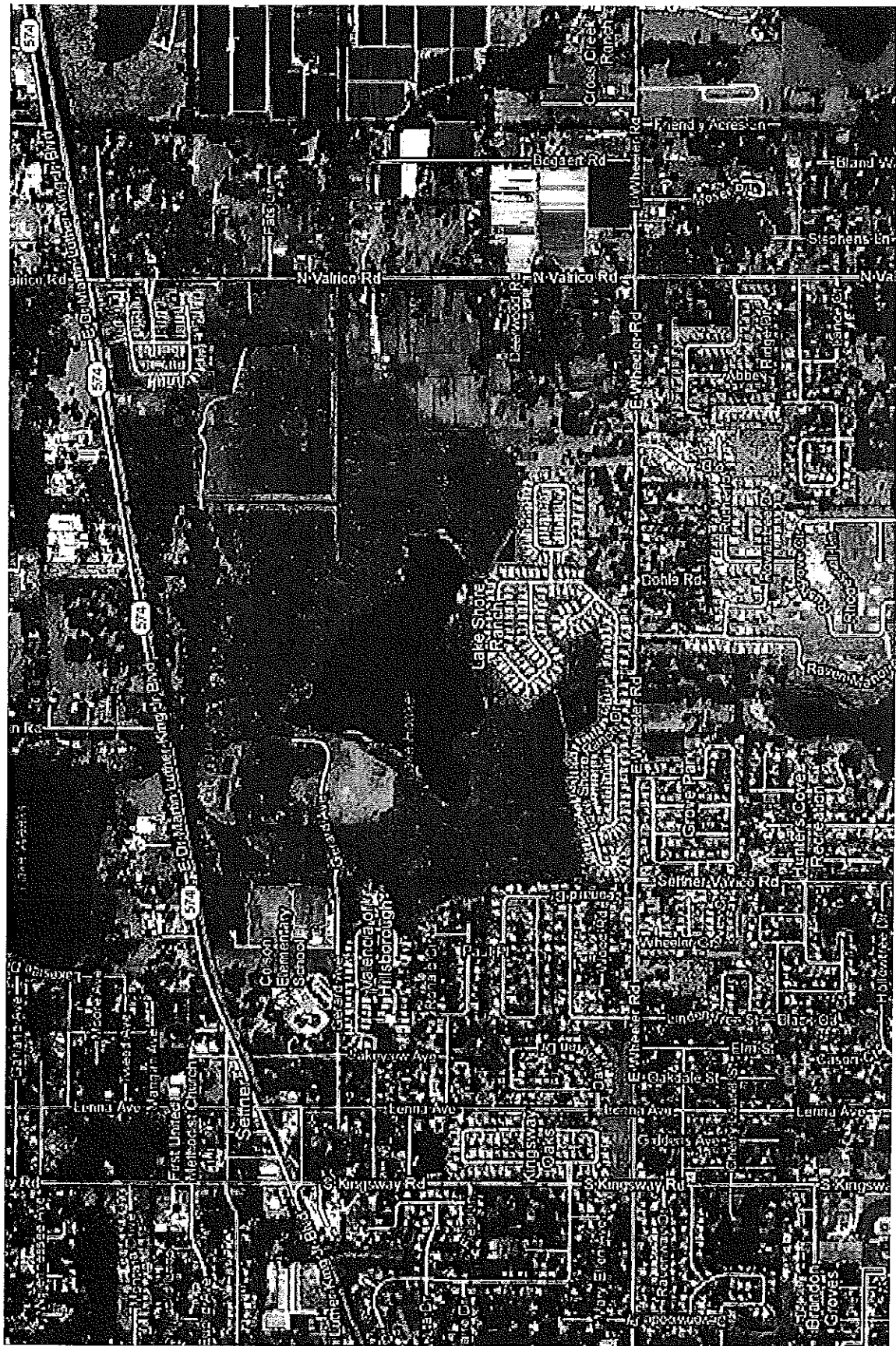
Lakes Initiative Report

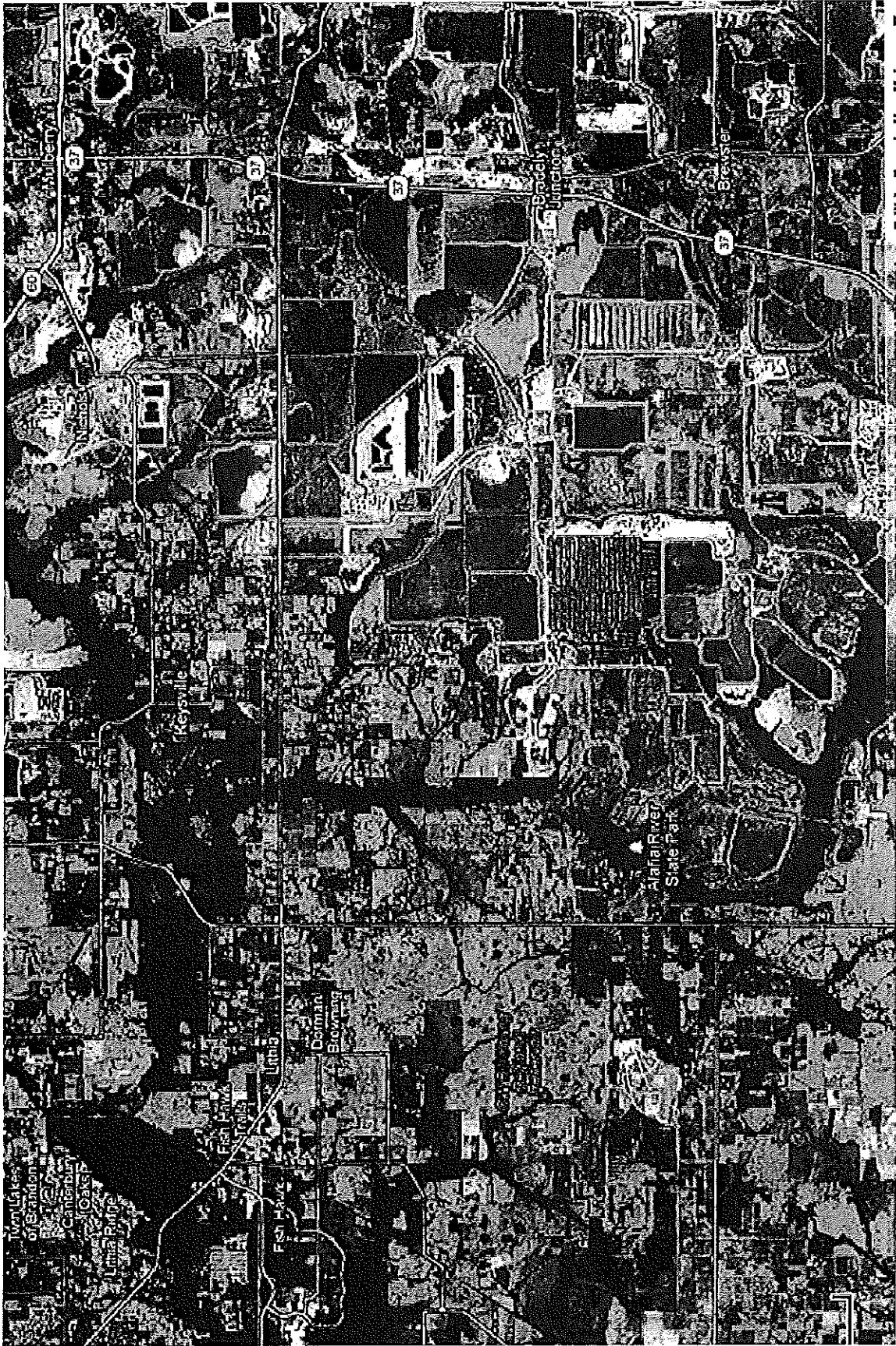
May 17, 2012

A regular report to the Board on lake, river, springs and estuarine-related issues of likely importance to county citizens

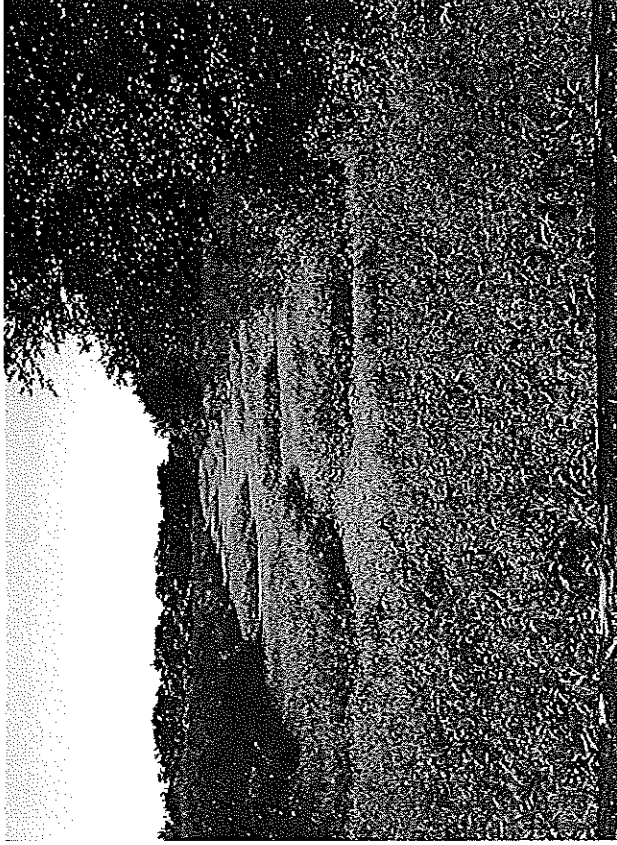
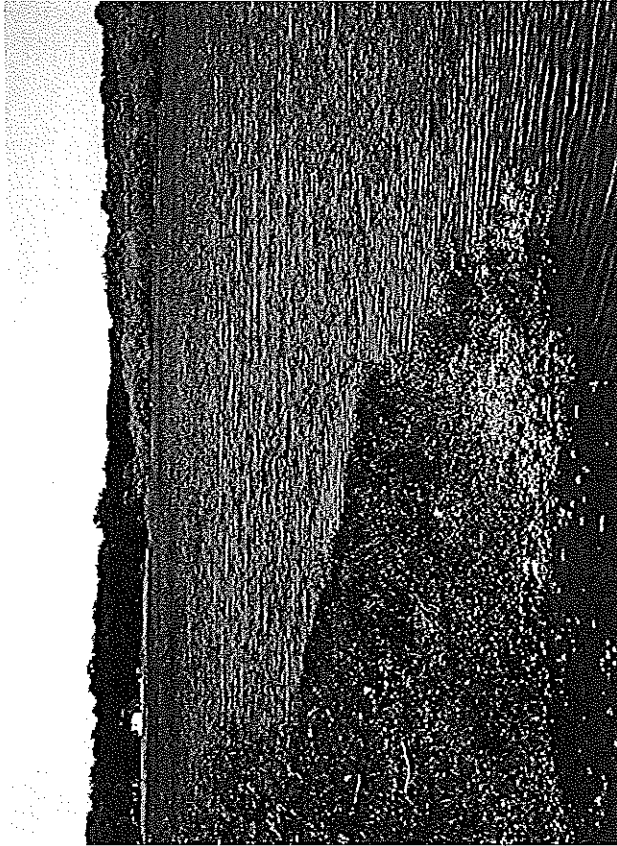
THIS MONTH

- Lake Hooker- proposed MFL
- North and South Prongs of Alafia River — proposed MFL
- Morris Bridge Sink and Blue Sink — Possible use as water supply by Tampa





Lake Hooker



Picture credit: EPC

- Draft MFL Report being reviewed by District Staff internally
- Public workshop scheduled for June 14, 2012

6:30-8:00pm @ SWFWMD Tampa Service Office

Alafia River

North Prong



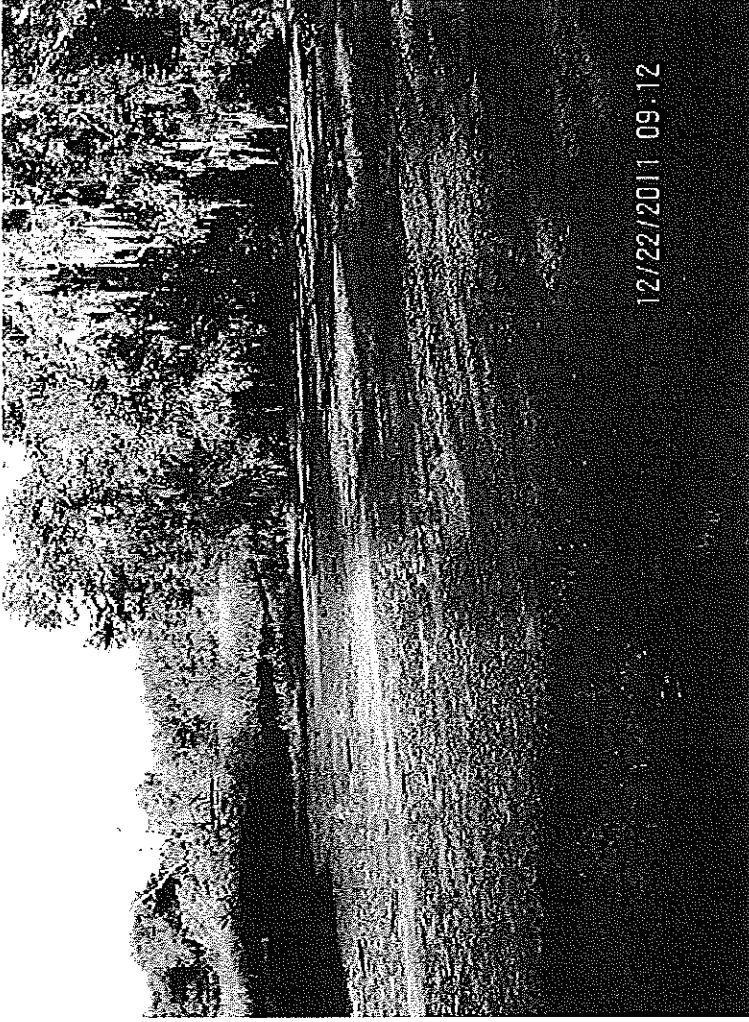
South Prong



Picture credit: EPC

- MFL Field data collection is complete
- HEC-RAS hydraulic model being developed
- PHABSIM modeling being completed
- Scheduled for MFL adoption in 2012...likely to be delayed.

Blue Sink



Picture credit: EPC

Blue Sink Sinkhole

- Proposed to be used by City of Tampa to augment Hillsborough River System
- SWFWMD would be the permitting agency.
- EPC will monitor SWFWMD's evaluations to ensure nearby lakes, wetlands, and any private wells are protected.

Morris Bridge Sink



Picture credit: EPC

Morris Bridge Sink

- Proposed to be used by City of Tampa to augment Hillsborough River System
- SWFWMD will actually be the Permittee on this.
- FDEP would evaluate the Water Use Permit Application.
- SWFWMD currently still examining this internally.
- EPC has relayed County's concerns over the protection of private wells and nearby wetlands.
- EPC will continue to monitor SWFWMD's actions on this subject.

Subjects in June

- **E.G. Simmons Park**

Citizen Inquiries can be forwarded to EPC; more specifically

Dr. Scott Emery, emerys@epchc.org

(813) 627-2600, Ext. 1088

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EPC Agenda Item Cover Sheet

Date of EPC Meeting: May 17, 2012

Subject: 2012 First Quarter Action Plan Updates (Held Over from April EPC Meeting)

Agenda Section: Regular Agenda

Division: Executive Director's Report

Recommendation: Informational Report

Brief Summary: In January 2012, EPC staff brought the Agency's Strategic Plan to the Board for approval. It included some sixteen individual initiatives which are detailed in measureable action plans. The first quarter status reports were listed for all sixteen plans in the agenda backup last month and a few will be highlighted for discussion during a brief informational report.

Financial Impact: No Financial Impact

Background: As part of the Agency's Sterling Management planning process, staff held a strategic planning retreat in December 2011. This included input from the Board and a broad range of EPC staff. Also taken into consideration were the most recent Employee and Customer Surveys.

Following the retreat, staff drafted a Strategic Plan for 2012 and brought it to the Board at the regular EPC meeting. It was approved and sixteen initiatives reflecting the Agency's strategic objectives were launched. Each initiative is described in an individual Action Plan with measurable goals.

These Action Plans will be reported in more detail at the Agency's annual report to the EPC in the fall.

List of Attachments: Copy of Power Point Presentation titled "Strategic Planning at EPC and First Quarter Action Plan Updates."

Strategic Planning at EPC and First Quarter Action Plan Updates

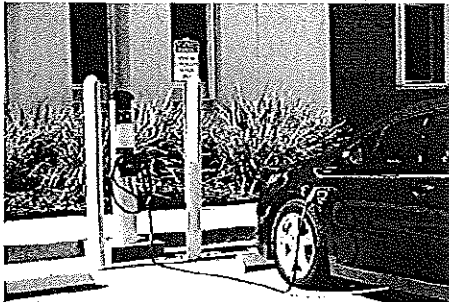


**EPC Board
May 17, 2012**

Quarterly Update for 2012 Action Plans


April 2, 2012

Strategic Objective	Action Plans	Status	2012 Year End Goal
Promote Environmental Stewardship	1.2d Develop Office of Sustainability	Secured funding for FY 12 and coordinator's position filled.	Start Energy Management teams in various departments throughout the County.
		Completed Energy & Sustainability Plan for the County.	
		Received grant for 7 electric vehicle (EV) recharge stations and 5 have been installed.	Have all 7 EV stations operational.
		Compressed Natural Gas (CNG) Committee has met with 3 suppliers and given progress report to full workgroup.	Make final recommendations to workgroup on CNG.
		Green website is under development.	Launch Green Hillsborough website in final form.
	Met with several organizations to start a Clean Cities Coalition in Tampa Bay.	Complete Clean Cities Coalition application for DOE.	
	In collaboration with Fleet submitted a requisition for an electric vehicle for EPC	Take delivery of electric vehicle as part of alternative fuels pilot program.	




Quarterly Update for 2012 Action Plans

April 2, 2012

Strategic Objective	Action Plans	Status	2012 Year End Goal
Improve Customer Satisfaction 	3.1d Rule Efficiency Initiative	Completed efficiencies review of EPC Rules 1-1 through 1-15.	Eliminate obsolete rules and update others. Bring revised rules to the Board for a Public Hearing by September 2012.
		Produced a list of sections and rules for deletion, modification, and updating.	

Quarterly Update for 2012 Action Plans

April 2, 2012

Strategic Objective	Action Plans	Status	2012 Year End Goal
Ensure Effective Leadership Development and Succession Planning 	5.3 Advanced Leadership Development Program (ALDP)	The first year of this effort resulted in: the formation of an ALDP Coordinating Committee, the establishment of Program with standards and responsibilities, and the selection of the first group of participants.	Completion of the first group program is expected this summer with the second group to start this Fall. To have fully completed the first ALDP group and survey them for program evaluation and to start second group.
		The Program consists of training opportunities, leadership mentoring, special project completion, and Toastmaster membership.	

Strategic Planning Calendar

- Jan 2012 – Board Approval of Strategic Plan
- April 2012 - Quarterly Action Plan Updates / July 2012
- Fall 2012 – Full Action Plan Update
- December 2012 - Strategic Planning Retreat for 2013