

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
COMMISSIONER'S BOARD ROOM
DECEMBER 19, 2000
2-4PM**

AGENDA

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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.

AGENDA ITEM COVER SHEET

Date: December 6, 2000

Agenda Item: Public Hearing for Chapter 1-10, Noise Rule Amendment Continued.

Description/Summary:

At the October 19, 2000, public hearing on the noise rule, the EPC Board continued the public hearing to November 16, 2000. Upon cancellation of the November EPC Board meeting, the noise rule was re-noticed for the December 19, 2000 meeting. Pursuant to discussion by the Board during the October public hearing, the following changes were made to the noise rule: the amusement park exemption was deleted from the rule, spectator games were changed to spectator events, sport shooting range was defined, it was clarified that the Florida State Fairgrounds is specifically subject to the rule, shooting ranges operated solely for the purpose of law enforcement and military training and certification are exempt, and compliance demonstrations are required for all shooting ranges constructed or in initial operation after the effective date of this rule amendment.

Commission Action Recommended:

Consider and approve the amendments to Chapter 1-10, Rules of the Commission.

Commission Action Taken:

1 **RULES OF THE**
2 **ENVIRONMENTAL PROTECTION**
3 **COMMISSION**
4 **OF HILLSBOROUGH COUNTY**

5
6 **CHAPTER 1-10**
7 **NOISE**

8
9 **1-10.01 Definitions**

10 **1-10.02 Prohibitions**

11 **1-10.03 Sound Level Limits**

12 **1-10.04 Exceptions to Sound Level Limits**

13 **1-10.05 Motor Vehicles**

14 **1-10.06 Cultural Events**

15
16 **1-10.01 DEFINITIONS**

17 A. Definitions contained in Chapter 84-446,
18 Laws of Florida, as amended, apply to this rule.

19 B. The following specific definitions shall apply
20 to this rule:

- 21
22 1. **A-Weighted Sound Level** - The sound
23 pressure level decibels as measured on
24 a sound level meter using the A-
25 weighting network. The level so read
26 is designated dBA.
27 2. **Commercial Area Property** - All
28 property which is used primarily for
29 the sale of merchandise or goods, or
30 for the performances of a service, or for
31 office or clerical work.
32 3. **Decibel (dB)** - The unit in which the
33 levels of various acoustical quantities
34 are expressed. Typical quantities so
35 expressed are sound pressure level,
36 noise level, and sound power level.
37 4. **Emergency** - Any occurrence or set of
38 circumstances involving actual or
39 imminent physical trauma or property
40 damage which demands immediate
41 action.
42 5. **Emergency Work** - Any work
43 performed for the purpose of
44 preventing or alleviating the physical
45 trauma or property damage threatened
46 or caused by an emergency.
47 6. **Industrial Area Property** - Any
48 property which is used primarily for
49 manufacturing, processing or an
50 airport.

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7. **Noise** - Any sound which annoys or
disturbs humans or causes or tends to
cause an adverse psychological or
physiological effect on humans.
8. **Noise Disturbance Nuisance-**
a. Sound which
 (1) is or may be harmful or
 injurious to the health or
 welfare of any person, or
 (2) unreasonably interferes with
 the enjoyment of life, property
 or outdoor recreation of a
 reasonable person with normal
 sensitivities, or
 (3) is of such character and in
 such quantity or level as to be
 detectable by a considerable
 number of persons so as to
 interfere with their health,
 repose, or safety or to cause
 severe annoyance or
 discomfort.
b. Sound which meets the definitions
of Section 2, Hillsborough County
Ordinance 84-4, as amended.
9. **Octave Band** - All of the components
in a sound spectrum whose frequencies
are between two sine wave components
separated by an octave.
10. **Public Right-Of-Way** - Any street,
avenue, boulevard, highway, sidewalk
or alley or similar place normally
accessible to the public which is owned
or controlled by a government entity.
11. ~~**Public Space** - Any real property or
structures thereon normally accessible
to the public which is owned or
controlled by a government utility.~~
12. **Real Property Line** - An imaginary
line along the ground surface, and its
vertical plane extension, which
separates the real property owned,
rented or leased by one person from
that owned, rented or leased by another
person, excluding intrabuilding real
property divisions.

- 1 13. **Residential Area Property** - All 51
- 2 property on which people live and 52
- 3 sleep, or parkland, or hospitals, or 53
- 4 schools, or nursing homes or that 54
- 5 which is not commercial or industrial 55
- 6 or the individual plots within a mobile 56
- 7 home park assigned by the owner of 57
- 8 the park. 58
- 9 14. **Sound** - An oscillation or alteration in 59
- 10 pressure, stress, particle displacement, 60
- 11 particle velocity or other physical 61
- 12 parameter, in an elastic medium; or, an 62
- 13 auditory sensation evoked by the 63
- 14 alterations described above. The 64
- 15 description of sound may include any 65
- 16 characteristic of such sound, including 66
- 17 duration, intensity and frequency. 67
- 18 15. **Sound Level** - The weighted sound 68
- 19 pressure level obtained by the use of a 69
- 20 metering characteristic and weighting 70
- 21 scale as specified in American National 71
- 22 Standards Institute specifications for 72
- 23 sound level meters ANSI S1.4-1983, or 73
- 24 in successor publications. If the weight- 74
- 25 ing employed is not indicated, the A- 75
- 26 weighting shall apply. 76
- 27 16. **Sound Level Meter** - A device used to 77
- 28 measure sound pressure level, or 78
- 29 weighted sound pressure level, or 79
- 30 octave band sound pressure level, and 80
- 31 this device is of Type 2 or better, as 81
- 32 specified in the American National 82
- 33 Standards Institute Publication S1.4- 83
- 34 1983 or its successor publication. 84
- 35 17. **Sound Pressure** - The instantaneous 85
- 36 difference between the actual pressure 86
- 37 and the average or barometric pressure 87
- 38 at a given point in space, as produced 88
- 39 by the presence of energy, which 89
- 40 accompanies the passage of a sound 90
- 41 wave. 91
- 42 18. **Sound Pressure Level** - The sound 92
- 43 pressure level of a sound is 20 times the 93
- 44 logarithm to the base 10 of the ratio of 94
- 45 the pressure of this sound to the 95
- 46 reference pressure of 20 micropascals. 96
- 47 The sound pressure level is expressed in 97
- 48 decibels. 98
- 49 19. **Spectator Events Games- Activities** 99
- 50 involving competitive sports and 100

parades, including, but not limited to baseball, football, soccer, ice hockey and similar athletic events performed for an audience:

- 20. **Sport Shooting Range**
An area designated and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar type of sport shooting.
- 21. **Ybor City Entertainment District**-
Land area north of the right of way of the CSX rail line along 6th Avenue, west of 22nd Street, south of Palm Avenue, and east of Nuccio Parkway.
- 22. **Cultural Event** - Any event drawing a large attendance for entertainment, amusement, enlightenment or recreation purposes, which in the determination of the Commission, has or is likely to become a community event integrated into accepted social practices or traditions.

1-10.02 PROHIBITIONS

- A. **Noise Disturbance Nuisance Prohibited** -
 No person shall make, continue or cause to be made or continued any noise disturbance nuisance. The generation or continuation of a noise disturbance nuisance upon a property following notice to that property's owner of the existence of a noise disturbance nuisance shall be deemed to continue with the permission of the property owner.
- B. **Maximum Sound Levels For Receiving Land Use** - Sound levels which exceed the limits set forth in this rule for the receiving land when measured at or within the property line of the receiving land use are declared to be noise pollution as defined by Section 3(21) of Chapter 84-446, Laws of Florida.
- C. Commercial operation of motorized lawn, garden, or other outdoor maintenance equipment is prohibited between the hours of 10:00 P.M. and 7:00 A.M.

1 **1-10.03 SOUND LEVEL LIMITS**

2 **A. By Receiving Land Use -**

3 **Table F**

4 Receiving Land Use Category	5 Time	6 Sound Level Limit, dBA
7 Residential,	7 a.m.-10 p.m.	60
8 Public Space	10 p.m.- 7 a.m.	55
9		
10 Commercial	7 a.m.-10 p.m.	65
11	10 p.m.- 7 a.m.	60
12		
13 Industrial	At All Times	75

15 **B. Octave Band Sound Level Limit** - In addition to the standards of 1-10.03A, for any source of sound which impacts on residential property or public space, the maximum allowable sound level limit for the individual octave bands whose centers are 63, 125, 250 and 500 Hertz shall not exceed 65 dB.

22 **C. Air Conditioning and Air Handling Equipment, Pumps and Compressors** - No person shall operate or cause to be operated any air conditioning or air-handling equipment, or any pumps and compressors, in such a manner as to exceed any of the following sound levels across a residential real property line at any time of the day or night:

30 **Table H**

32 Measurement Location	33 Sound Level Limit dBA
35 Any point on neighboring property line	36 60
38 Center of neighboring patio	39 55
40 Outside the neighboring living area window nearest the equipment location	42 55

45 **D. Ybor City Historic Entertainment District** (as defined by the City of Tampa)

47 1. Sound levels generated by entertainment or musical events within the Ybor City Historic Entertainment District, regardless of time of day, shall not exceed 65 dBA

51 when received at any point on the boundary of the Ybor City Entertainment District as defined in Section 1-10.01 B.20, south of the right of way of the CSX rail line along 6th Avenue, east of 22nd Street, north of Palm Avenue, or west of Nuccio Parkway.

52 2. The maximum allowable sound levels for the individual octave bands whose centers are 63, 125, 250 and 500 Hertz shall not exceed 75 dB when received at any point on the boundary of the Ybor City Entertainment District as defined in Section 1-10.01B.20, beyond the same described boundary lines.

53 3. Noise generated by E.entertainment or musical events within the Ybor City Entertainment Historic District shall be regulated by the City of Tampa under their noise ordinance, except as provided in Sections 1-10.03 D.1 and 2, in compliance with these sound limits, or which does not exceed 65 dBA at the point of generation, is not a noise disturbance under this rule.

54 E. The Florida State Fairgrounds is subject to the sound level limits in this section and to all other provisions of this rule.

59 **1-10.04 EXCEPTIONS TO SOUND LEVEL LIMITS:**

60 It is not the intent of this Rule to regulate noises under all in circumstances, where persons, property, wildlife or plant life are not affected by the noise. The following activities or sources are exempt from the requirements of Section 1-10.03 of this Rule:

61 A. The emission of sound for the purpose of alerting persons to the existence of an emergency, or in the performance of emergency work.

62 B. The unamplified human voice.

63 C. Reasonable operation of equipment or conduct of activities normal to residential or agricultural communities such as lawn care, soil cultivation, maintenance of trees, hedges and gardens, refuse collections, the use of lawn mowers, saws and tractors, street sweepers, mosquito fogging, tree trimming and limb chipping, and other normal community operations.

1 ~~D. Reasonable operation of unamplified church~~
2 ~~belts or chimes when used for traditional~~
3 ~~religious purposes. Normally occurring sounds~~
4 ~~on church or school grounds during church or~~
5 ~~school-sponsored activities.~~
6 E. Events directly related to Gasparilla, Fourth
7 of July, New Year's Eve, Guavaween, or
8 officially authorized spectator games events.
9 F. The lowing of cattle, the clucking of fowl,
10 the neighing of horses, the baying of hounds and
11 other normal sounds of reasonably cared for
12 domestic animals.
13 G. Motor vehicles operating on a public right
14 of way.
15 H. Personal watercraft, including amphibious
16 craft when operated upon the waterways within
17 Hillsborough County.
18 I. Common carrier stations, including but
19 not limited to bus stations, transit malls, train
20 stations, ships' wharves and docks, and
21 airports.
22 J. Sport shooting ranges and shooting ranges
23 operated solely for the purpose of law
24 enforcement and military training and
25 certification, except as provided in Section 1-
26 10.07.
27 K. The operation of trains, ships, and aircraft.

28 **1-10.05 MOTOR VEHICLES**

29 ~~A. Motor Vehicles Operating on Public Right~~
30 ~~of Way - Motor vehicles on a public right~~
31 ~~of way are regulated as set forth in~~
32 ~~Sections 316.293 and 403.415 Florida~~
33 ~~Statutes (1989).~~

34 **A. Recreational Motorized Vehicles**
35 **Operating Off Public Rights of Way -** No
36 person shall operate or cause to be operated any
37 recreational motorized vehicle off a public right
38 of way in such a manner that the sound level
39 emitted therefrom violates the provision of
40 Section 1-10.03A. This section shall apply to all
41 recreational motorized vehicles, whether or not
42 duly licensed and registered, including, but not
43 limited to motorcycles, go-carts, amphibious
44 craft, campers and dune buggies. All such
45 vehicles shall use noise attenuating devices
46 (exhaust mufflers).

47 ~~B. C. Motor Vehicles Operated at Facilities for~~
48 ~~Competitive Events -~~

49 1. All motor vehicles operated at facilities
50 permitted for competitive motor vehicle events

51 are exempted from complying with Section 1-
52 10.03 A.

53 2. Noise levels from competitive motor
54 vehicle events shall not exceed 68 dBA when
55 measured at or within the property line of
56 residential properties, except as provided in
57 paragraph ~~C. B. 3.~~

58 3. Noise levels from the ~~"Annual~~
59 ~~Nationals"~~ and the regular Saturday night races as
60 presently held at East Bay Raceway, shall not
61 exceed 78 dBA ~~at the nearest residential property~~
62 ~~lines.~~

63 4. Vehicles shall use noise attenuating
64 devices. The type of noise attenuating device
65 utilized is dependent upon, but not limited to,
66 vehicle characteristics, available technology, and
67 conditions set by the Environmental Director
68 pursuant to Section 1-10.05 ~~D. C.~~ Noise
69 attenuating devices may include, but are not
70 limited to, directed exhausts, exhaust mufflers,
71 turbochargers, superchargers, airfoils, diverter
72 vanes, body design, and tire design.

74 **~~D. C. Authorization Required -~~**

75 1. No person shall construct, alter, expand
76 or operate any installation or facility for
77 competitive motor vehicle events without first
78 providing documentation and assurance of com-
79 pliance with Section 1-10.05 ~~D. B.~~, and without
80 first receiving a permit by Letter of Authorization
81 from the Environmental Director.

82 2. The request for a Letter of
83 Authorization shall be in writing and shall contain
84 at a minimum the following information and
85 attachments:

86 a. Name, address, and telephone
87 number of the person, firm, corporation, or
88 association requesting authorization. In the case
89 of a firm, corporation or association, the request
90 shall include the names of its Board of Directors,
91 members, and owners.

92 b. Name and telephone numbers of a
93 responsible party who may be reached at all times
94 during the occurrence of any competitive motor
95 vehicle event.

96 c. Identification of sanctioning body
97 and name and telephone number of
98 representative.

1 d. Location, dates and times of
2 commencement and termination of competitive
3 motor vehicle events, including practice heats.

4 e. Descriptions of the numbers of
5 competitive motor vehicle events planned,
6 number of vehicles participating in each type of
7 event and type of vehicles involved.

8 f. Descriptions of measures, methods,
9 and techniques which will be used to reduce the
10 volume of noise generated by the event, including
11 description and representative illustrations and
12 plans of for the enclosure or barrier system or
13 process and performance parameters.

14 g. Plans for operator/employee
15 training and familiarization with requirements of
16 this rule.

17 h. Provisions for trackside and
18 boundary noise monitoring.

19 i. Design features, equipment, work
20 practices, or operational methods to reduce the
21 volume of noise generated by the competitive
22 motor vehicle events.

23 3. Upon reasonable assurance that the
24 requested competitive motor vehicle events will
25 be in compliance with Section 1-10.05E B., and
26 upon payment of any applicable fee pursuant to
27 Chapter 1-6, the Environmental Director will
28 issue a Letter of Authorization for the event with
29 such conditions as may be necessary, which shall
30 include but not be limited to, date and time of
31 operation, reporting requirements, and monitoring
32 requirements.

33
34 **1-10.06 WAIVERS FOR CULTURAL**
35 **EVENTS :**

36 A. The sponsors of a cultural event, which will
37 occur infrequently and which reasonably may not
38 meet the noise standards and regulations provided
39 above, may submit a request for a waiver to the
40 Commission, along with proposed precautions
41 and conditions. The sponsors shall also provide
42 15 days' written notice to each Registered
43 Neighborhood Organization within one mile of
44 the proposed event, including a description of the
45 event and proposed conditions, the name and
46 telephone number of a contact for more
47 information, and the date and time when the
48 matter will be considered by the Commission.
49 EPC staff shall review the proposal and comment
50 on the reasonable expectations of compliance or

51 non-compliance with the provisions of this rule
52 and the likely impacts to the surrounding
53 community. The proposal, along with staff's
54 comments, shall be reviewed by the Commission
55 at an advertised public hearing. Any waiver
56 granted will specify which provisions of the rule
57 are waived, the times for which they are waived,
58 and any additional conditions which apply.

59
60 ~~B. For purposes of this section, a cultural event~~
61 ~~is any event drawing a large attendance for~~
62 ~~entertainment, amusement, enlightenment or~~
63 ~~recreation purposes, which in the determination of~~
64 ~~the Commission, has or is likely to become a~~
65 ~~community event integrated into accepted social~~
66 ~~practices or traditions.~~

67 B. All requirements for cultural events waivers
68 shall be separate, and in addition to, the
69 requirements set forth in Hillsborough County
70 Ordinance #89-42 regarding Entertainment
71 Festival Permits.

72
73 **1-10.07 Sport Shooting, Law Enforcement**
74 **and Military Training and**
75 **Certification Ranges**

76
77 A. Compliance Demonstration Required
78 1. Any sport shooting range
79 constructed or in initial
80 operation after the effective date
81 of this rule amendment
82 (December 19, 2000) shall
83 submit to the Environmental
84 Director for review and
85 approval, a noise study,
86 performed by a member of the
87 National Council of Acoustical
88 Consultants, or the National
89 Institute of Noise Control
90 Engineers, demonstrating
91 compliance with this rule. The
92 noise study shall be submitted
93 within 30 days of completion of
94 construction or initial operation.

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2. The noise study shall consist of noise readings taken 500 feet from the real property line of the sport shooting range, or the real property line of the nearest residential property, whichever is closer, on the north, south, east and west sides of the sport shooting range. Readings shall be taken when the range is operating at maximum capacity. One set of readings shall be taken between the hours of 7 a.m. to 10 p.m., and a second set between the hours of 10 p.m. and 7 a.m. Sound levels shall be measured on the A- scale, using a sound level meter as defined by this rule. Meteorological conditions during each test must be submitted as part of the study.

3. Any sport shooting range that is constructed or in initial operation after December 19, 2000, and either fails to submit a noise study or the study fails to demonstrate compliance with the standards in this rule shall be subject to all standards and provisions of this rule.

Adopted 6/10/76
Amended 11/15/84
Amended 11/11/88
Amended 10/05/89
Amended 05/23/90
Amended 05/22/91
Amended 06/20/95
Amended 01/17/96
Amended 00/00/00

AGENDA ITEM COVER SHEET

Date: **December 1, 2000**

Agenda Item: **Aviation Noise Presentation to the EPC Board**

Description/Summary:

Mr. Louis Miller, Executive Director, Hillsborough County Aviation Authority will give a short presentation on the Aviation Authority's noise abatement policy.

Commission Action Recommended:

None.

Commission Action Taken:

N/A

AGENDA ITEM COVER SHEET

Date: November 8, 2000

Agenda Item: E-NET Presentation

Description/Summary:

A brief presentation on the E-NET, a cooperative venture with EPC, USF, and HCPC to provide environmental data to the public through the INTERNET. Funded through Pollution recovery funds.

Commission Action Recommended:

None

Commission Action Taken:

**Final Staff and CEAC Recommendations
for
2000 Pollution Recovery Fund
Applications
November 16, 2000**

#92 Natural Enemies for Managing Brazilian Pepper Tree / University of Florida (new)

Entomologists from the University of Florida, in cooperation with local, state and federal agencies, are developing biological control technologies for the management of Brazilian Pepper. They propose to construct an enclosure on a portion of the Wolf Branch Creek ELAPP site, introduce a South American insect (sawfly), and evaluate its effectiveness in eradicating Brazilian Pepper over the next 3 to 5 years.

Total: \$201,371 PRF: \$26,717
(Reviewed by Wetlands Division)

Staff Comments:

This project should be funded only if the sawfly is proven to be strictly host specific and only if it will not harm native flora or compete with native fauna.

RECOMMENDED with conditions: Proof that all required government agency approvals have been received for importation of the insects. Exact location of experiment and how results will be shared statewide.

CEAC Recommendation:

Concurred with staff recommendation and conditions.

#93 Rivercrest Park Restoration / South Seminole Heights Civic Association (continuing)

City of Tampa Parks Department has previously received a grant from PRF (\$10,000) for restoration and stabilization of the shoreline of the Hillsborough River along the length of Rivercrest Park. That work was satisfactorily completed and this project will enhance the work that has already been done. Additional rocky riprap will be installed and appropriate species will be planted. The Parks Department has consented to assist the Civic Association in the project.

Total: \$11,916.50 PRF: \$11,916.50
(Reviewed by Wetlands Division)

Staff Comments:

This shoreline is experiencing severe erosion and conceptually the project could alleviate the problem.

RECOMMENDED with conditions:

- Contract to be signed by City of Tampa Parks Department.
- Assurance from City of Tampa that mowing crews will not mow down newly planted vegetation as has happened in the past at this park.
- Staff to have approval of specific design criteria.
- A Tampa Port Authority/EPC permit will be required.

CEAC Recommendation:

Concurred with staff recommendations and conditions and added conditions:

- Send a letter to the Mayor and the head of the Parks Department concerning the problem with mowing.
- Have staff conduct a workshop with mowing crews.
- Require increased signage in planted areas.
- Withdraw funding if mowing occurs again.

#94 AirWise / American Lung Association (continuing)

This is an educational project designed to be used in 7th grade science classes. It is intended to help students learn about air quality and the role they play in pollution prevention. PRF money has been used to produce classroom materials for this project several years running.

Total: \$33,684 PRF: \$10,000
(Reviewed by Air Division)

Staff Comments:

PRF has subsidized this program over the last three years for approximately \$35,000. The American Lung Association has failed to establish this as a self-sufficient program.

RECOMMENDED with conditions:

- A written summary from the School Board evaluating the effectiveness of the program including efforts to have the program fully funded in the next budget cycle.
- Participation by EPC staff as presenters at the teachers training workshop.
- Observation by EPC staff of in classroom presentation of the program.

CEAC Recommendation:

Concurred with staff recommendation and conditions.

#91 Alafia River Shoreline Restoration and Stabilization / Alafia River Basin Stewardship Council (new)

This cooperative effort will include Hillsborough Community College and the Hillsborough County Stream Watch Program to restore approximately 1500 linear feet of shoreline and will be done in three phases:

- 1) Site preparation, removal of debris and trash and eradication of Brazilian Pepper
- 2) Planting of submerged seagrass (Halodule) and shoreline stabilization vegetation (Paspalum sod)
- 3) Long term monitoring of vegetation survivability and water quality improvements.

Total: \$50,000 PRF: \$36,000 * also applied for GSTF

(Reviewed by Wetlands Division)

Staff Comment: Staff is not convinced that any seagrasses were lost in this area. The currently proposed planting scheme does not seem appropriate. Until the Mulberry spill "restoration plan" is finalized, we will not know if this area might be included.

NOT RECOMMENDED

CEAC Recommendation:

Disagreed with staff recommendation and did not want to wait for the Mulberry Settlement. Voted to fund the full amount with conditions:

- Require conservation easements on all private property.
- Coordinate with TECO regarding utility easement.
- Staff to have approval of specific design criteria.

#95 Clean Heart for Tampa Bay / Friends of the River, Inc. (new)

This project seeks to establish a regular cleanup crew to police the Lower Hillsborough River to locate and remove litter and waste from the water and shoreline. Also, to educate the public on the hazards of litter and the importance of a clean river.

Total: \$81,488 PRF: \$73,000
(Reviewed by Water Division)

Staff Comments: This is a short term solution (one year) with no plan for alternate continued funding. The applicant should explore partnerships with the City of Tampa and Keep Hillsborough Beautiful. Two annual cleanups of this area already take place. The source of the problem (stormwater, etc.) needs to be addressed.

NOT RECOMMENDED

CEAC Recommendation:

Concurred with staff recommendation.

#96 Community Cisterns and Stormwater Management System (Aquavoir) / Bay World Public Trust, Inc. (new)

A pilot project to select a site and design and construct a Community Aquavoir system near the headwaters of the Alafia River. An aquavoir is an innovative stormwater retention and management system that addresses water recovery, storage, treatment, management, distribution and recycling as well as flood prevention and fire fighting.

Total: \$400,000 PRF: \$50,000 *recommended for GSTF
consideration
(to be reviewed by Water Division)

Staff Comment: This project is in the design phase with no actual construction proposed at this time. It appears to be research with no present practical application. Tampa Bay Water or

SWFWMD might be more appropriate funding sources. The project would have to be coordinated with County Stormwater.

NOT RECOMMENDED

CEAC Recommendation:

Concurred with staff recommendation.

Total Funds Requested: **\$207,633.50**

Total Funds Recommended by Staff: **\$48,633.50**

Total Funds Recommended by CEAC: **\$84,633.50**

Total Funds Available, as of November 1, 2000: **\$155,020.00**

(this does not include the \$100,000 minimum balance that is required to be maintained in the fund, the actual fund balance is \$255,020.00)

LLC

**Final EPC/DEP and CEAC Recommendations
for
2000 Gardinier Settlement Trust Fund
Applications
November 16, 2000**

Ruskin Inlet Non-native Eradication / Ruskin Community Development Foundation (new)

Removal of debris and non-native invasive trees within 20 acres of public land along Marsh Creek, is the focus of this project. Also, educational workshops will be conducted through the Pepper Patrol, a community organization that previously received some trust fund monies.

Total: \$91,900 GSTF: \$47,500
(Reviewed by Wetlands Division)

Staff Comments: Both the County and SWIM are doing restoration work in this area and this project should be coordinated with those efforts.

RECOMMENDED with conditions:

- Contract to be signed with SWIM and proposed work will be done in coordination with the upcoming project in that area.
- A maintenance plan needs to be submitted.
- Check with SWIM coordinator to determine an appropriate level of funding, now that this will be incorporated into a larger project.
- Submit a revised budget.

CEAC Recommendations:

Concurred with staff recommendation and conditions.

DeSoto Park Shoreline Restoration / City of Tampa Parks Department (new)

This project proposes the restoration of approximately 600 linear feet of hardened shoreline on the northwest shore of McKay Bay, which was illegally filled with construction debris. The area will be returned to historic salt marsh conditions and a tidally connected inland wetland will be created to provide treatment of stormwater prior to discharge into the bay. The City will partner with SWIM for this project.

Total: \$400,000 GSTF: \$150,000
(Reviewed by Wetlands Division)

Staff Comment: This is a favorable project with a desirable use of the natural systems approach.

RECOMMENDED with conditions:

- EPC and DEP staff must approve specific design criteria.
- Contract to contain specific performance standards.

- Money to be used for debris removal and disposal and planting, not for design or permitting.

CEAC Recommendations:

Concurred with staff recommendation and conditions but wanted to add specific language to the contract requiring the City to comply with all EPC and DEP regulations.

Alafia River Shoreline Restoration and Stabilization / Alafia River Basin Stewardship Council (new)

This cooperative effort will include Hillsborough Community College and the Hillsborough County Stream Watch Program to restore approximately 1500 linear feet of shoreline and will be done in three phases:

- 1) site preparation, removal of debris and trash and eradication of Brazilian Pepper
- 2) planting of submerged seagrass (Halodule) and shoreline stabilization vegetation (Paspalum sod)
- 3) long term monitoring of vegetation survivability and water quality improvements.

Total: \$50,000

GSTF: \$36,000

*also applied to PRF

(Reviewed by Wetlands Division)

Staff Comments: Staff is not convinced that seagrasses were lost in this area. The planting plan does not seem appropriate. The shoreline is privately owned and would require Conservation Easement. The adjacent island has a superceding TECO utility easement on it. GSTF already has a similar ongoing seagrass project and would like to determine the success of that project before funding another one. The area may be addressed in the Mulberry "restoration plan".

NOT RECOMMENDED

CEAC Recommendation:

Approved funding for project out of PRF.

Community Cisterns and Stormwater Management system (Aquavoir) / Bay World Public Trust, Inc. (new)

A pilot project to select a site and design and construct a Community Aquavoir system near the headwaters of the Alafia River. An aquavoir is an innovative stormwater retention and management system that addresses water recovery, storage, treatment, management, distribution, and recycling as well as flood prevention and fire fighting.

Total: \$400,000

GSTF: \$50,000

*applied of PRF, GSTF consideration recommended

(Reviewed by Water Division)

Staff Comments: This is a design and research project with no current in the ground application.

DOES NOT QUALIFY

Total Funds Requested: **\$283,500.00**

Total Funds Recommended: **\$197,500.00**

Total Funds Available, as of November 1, 2000: **\$533,993.00**

LLC

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting, scheduled for Thursday, September 21, 2000, at 10:00 a.m., in the Boardroom, County Center, Tampa, Florida.

The following members were present: Chairman Jan Platt and Commissioners Pat Frank, Chris Hart, Thomas Scott, Ronda Storms (arrived at 10:43 a.m.), and Ben Wacksman.

The following member was absent: Commissioner Jim Norman (illness).

Chairman Platt called the meeting to order at 10:05 a.m. Commissioner Scott led in the pledge of allegiance to the flag and gave the invocation. Chairman Platt commented on the many significant contributions made by Mr. Tom Cardinale, EPC staff, and listed some of the projects in which he had been involved.

AIR MANAGEMENT DIVISION

Presentation - Alternative Transportation Week - Ms. Phyllis Pacyna, Tampa Downtown Partnership, invited participation in the October 7, 2000, Bike the Bay event and the September 30, 2000, dedication of the Bruce B. Downs Boulevard Trail. Ms. Pacyna presented the advantages of alternative forms of transportation. Mr. Jerry Campbell, EPC Director of Air Management Division, said EPC had participated in Alternative Transportation Week last year and planned to enlarge its efforts this year. (Resumed later in the meeting.)

CITIZENS WISHING TO APPEAR

Subjects commented upon by Ms. Marilyn Smith, County resident, included a wetland on the property for the proposed intake structure, contamination of wells, and contamination from the desalination (desal) plant. Dr. Rick Garrity, Executive Director, EPC, and Mr. Darrell Howton, EPC Director of Wetlands Division, responded to Ms. Smith's comments regarding the difference between the Army Corps of Engineers and other agencies in delineating wetlands. Currently, EPC had no approved jurisdictional wetland survey for the intake structure property. A report on the issue would be presented at the next EPC meeting.

THURSDAY, SEPTEMBER 21, 2000 - DRAFT MINUTES

CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE (CEAC)

Mr. Tom Mann, vice chairman, CEAC, said CEAC would soon be reviewing requests for the pollution recovery trust fund and Gardinier settlement trust fund as well as changes to the air pollution and noise rules. A CEAC subcommittee would meet later in the day regarding sulphur transfer facilities. Subcommittee members had been advised by County staff. Chairman Platt clarified that input on the issue would go to the hearing master, not EPC.

EXECUTIVE DIRECTOR'S COMMENTS

Update on Agency Goals and Objectives - Dr. Garrity corrected numbering of agenda items and advised, pursuant to discussion at an earlier EPC meeting, draft goals and objectives had been prepared and would be presented to EPC in October 2000. Dr. Garrity listed meetings he and EPC staff had attended, noting that he prioritized field trips with staff. Chairman Platt recalled the EPC Board had wanted more public outreach, such as efforts Dr. Garrity had mentioned.

Update on Building Improvements - Mr. Tom Koulianos, EPC Director of Finance and Administration, gave a presentation on the EPC building improvements and thanked EPC for the commitment of funds.

CONSENT AGENDA

- A. Approval of Minutes: August 8 and 17, 2000
- B. Monthly Activity Reports
- C. Legal Department Monthly Report
- D. Pollution Recovery Trust Fund
- E. Gardinier Settlement Trust Fund

Commissioner Scott moved approval. Commissioner Wacksman seconded the motion, which carried five to zero. (Commissioner Storms had not arrived; Commissioner Norman was absent.)

AIR MANAGEMENT DIVISION - RESUMED

Presentation - 1999 Air Quality Report - Mr. Campbell summarized the air quality report and highlighted County efforts, which included operators of incinerators spending millions of dollars. Mr. Campbell responded to questions from Commissioner Hart about dioxins and resumed his presentation

on hydrogen chloride and nitrogen oxide. In addition to efforts by the city of Tampa and the County, the Tampa Electric Big Bend station had made significant progress. The main focus of the air quality report was to inform the public of services EPC provided for citizens.

Presentation - Alternative Transportation Week - RESUMED - Mr. Campbell said the Environmental Protection Agency (EPA) gave a grant each year to EPC in connection with Alternative Transportation Week. The EPA had approved the EPC request to use current year grant funds to replace one vehicle used for inspections with a hybrid vehicle operating on gasoline and an electric motor. The vehicle would be used for public outreach efforts as well as inspections. Mr. Campbell requested EPC approval to purchase the vehicle with existing EPA funds already approved for a conventional gasoline-powered vehicle. **Commissioner Hart moved to approve the recommendation and added to contact a local dealership to see if they would participate with EPC in either sharing or donating the vehicle.** Mr. Campbell said that would be done. **Commissioner Storms seconded the motion.** Mr. Campbell advised Commissioner Wacksman gasoline mileage was 50 miles per gallon. Commissioner Hart said benefits from the potential partnership, such as how long staff vehicles were typically kept, could be pointed out to business people from whom help was requested. Mr. Campbell explained for Commissioner Frank the United States Post Office used many compressed natural gas vehicles; however, the vehicles could not be fueled at gasoline stations or with the Fleet Management Department. If the County wanted to pursue that, a larger volume would be required, which EPC would be glad to discuss. Commissioner Frank thought that should be considered, in terms of cost effectiveness as well as environmental impact and long-range benefits if the whole fleet were involved. She thought cooperative arrangements could be worked out with other governments. In reply to Chairman Platt, Mr. Campbell said the electric vehicles EPC had used some time ago had been loaned from the University of South Florida and had been returned after difficulties with premature discharging. **The motion carried six to zero.** (Commissioner Norman was absent.)

Request Authority to Establish Date for Public Hearing on October 17, 2000, at 10:00 a.m., to Update Chapter 1-3, Air Rule, and Chapter 1-10, Noise Rule - Mr. Campbell presented the request and noted staff would be prepared to give a full presentation at the next EPC meeting. **Commissioner Scott so moved.** **Commissioner Wacksman seconded the motion, which carried five to zero.** (Commissioner Storms was out of the room; Commissioner Norman was absent.)

Request to Authorize the Executive Director to Sign the Renewal of Department of Environmental Protection (DEP) Contracts AQ127, Title V, and AQ 147, Air Monitoring - Mr. Campbell said the contracts were for EPC to conduct permitting and compliance work for the major sources of County air pollution and an air monitoring contract. **Commissioner Scott moved approval. Commissioner Hart seconded the motion, which carried five to zero.** (Commissioner Storms was out of the room; Commissioner Norman was absent.)

WATER MANAGEMENT DIVISION

Update on Lake Grady - Mr. Cardinale showed pictures of the sinkhole site and explained EPC monitoring of wells in the area and plans to continue monitoring until conditions returned to normal, as specified by the Health Department. After the sinkhole was plugged, the coliform count in the water had declined dramatically and, hopefully, would eventually be zero. A citizen meeting was scheduled later in the evening to discuss community feeling about connecting to County water.

In reply to Chairman Platt, Mr. Cardinale advised plans were to leave the sinkhole without water so visual observations could be made, as had been done with the 1974 sinkhole. At the last weekly meeting of the Lake Grady task force, Mr. Bob Gordon, Director, Engineering Division, Public Works Department, had requested a study of the general area by the United States Geologic Service. Mr. Cardinale believed the decision about what type of filler to use for sinkholes was made on a case-by-case basis. Even though that was a state issue, Chairman Platt requested that Dr. Garrity look at the issue of regulating sinkholes and see if EPC had a recommendation. Mr. Chris Dunn, EPC Director of Water Management Division, understood a geotechnical consultant, with experience remediating sinkholes, had been hired. Chairman Platt asked if that firm could give a suggestion. Dr. Garrity would return with a report. **Commissioner Storms so moved. Commissioner Scott seconded the motion, which carried six to zero.** (Commissioner Norman was absent.)

Commissioner Storms advised citizens had requested Representative Sandra Murman and DEP Secretary David Struhs to seek regulations prohibiting cows being in lakes near wells. Some citizens believed the cows contributed to bacterial contamination. **Commissioner Hart moved that Dr. Garrity and staff collaborate with Hillsborough County administration and return to EPC with a specific recommendation on how to proceed regarding the Lake Grady area and residents affected by the contamination, because of the existing**

circumstance, and whatever other professional recommendation might relate to the future. Commissioner Wacksman seconded the motion, which carried six to zero. (Commissioner Norman was absent.)

Update on Recent Algae Bloom Problem - Mr. Cardinale displayed photographs and said algae blooms were common in estuaries. Although the recent bloom produced toxins, there was no fish kill, which was presumed to be due to growth being near the surface. The bloom had dissipated within ten days to two weeks. EPC was monitoring another bloom, which seemed normal, that had occurred in Old Tampa Bay. In reply to Commissioner Frank, Mr. Cardinale explained the sudden increase in jellyfish in the Gulf of Mexico and said it was possible jellyfish could move into Tampa Bay; however, EPC was vigilant about that. Commissioner Frank asked what could be done to protect the Bay. Mr. Cardinale said changing the salinity created problems such as red tide and jellyfish. Dr. Garrity said consultants for the Water Resource Team planned to produce detailed information on salinity changes predicted for the Bay in the next few months.

WETLANDS MANAGEMENT DIVISION

Discussion - Rules and Regulations Regarding Sale of Exotic Plants - Mr. Robert Upcavage, EPC staff, recalled that after the last EPC meeting, Commissioner Storms had asked him to check on the sale and regulation of Japanese blood grass. State and federal statutes prohibited sale of the plant, and it was not available in any of the 15 local nurseries he had queried. However, one Florida wholesaler provided it on the Internet, and it was for sale in other states. **Commissioner Storms moved to send a letter with that information, so the DEP could handle it or the Department of Agriculture. Commissioner Scott seconded the motion, which carried five to zero.** (Commissioner Frank was out of the room; Commissioner Norman was absent.)

RESPONSE TO CITIZEN'S INQUIRIES

Report on Blue-Belt Legislation - Attorney Sara Fotopulos, EPC Director of Public and Intergovernmental Affairs, recalled citizen concern about legislation regarding tax incentives for preservation of aquifer recharge areas. She reviewed precedent conditions, including use of the land for a bona fide high water recharge purpose, adoption by the local county of an ordinance establishing a formula for tax assessment of the lands, and requirement for each water management district to develop a groundwater basin

resource availability inventory. Although the Southwest Florida Water Management District (SWFWMD) had not designated prime groundwater recharge areas in all its jurisdictions, there was substantial information that could be used as evidence of significant groundwater recharge in appropriate areas. However, precedent conditions did not exist in the County for a blue-belt designation. Attorney Fotopulos responded to Commissioner Hart about definition of terms.

Commissioner Hart thought further consideration should be given to the subject. Dr. Garrity listed two possible areas for designation as a high water recharge area and suggested conferring with SWFWMD regarding plans for the coming year with respect to designating such areas. In addition to conferring with SWFWMD, Attorney Fotopulos suggested asking the County Attorney's Office to consider the possibility of pursuing a County ordinance based on two undefined terms in the Florida Statutes: (1) prime groundwater recharge area and (2) an area considered by the appropriate water management district to supply significant groundwater recharge. **Commissioner Storms so moved. Commissioner Hart seconded the motion.** At the suggestion of Commissioner Hart, **Commissioner Storms amended the motion to collaborate with the Property Appraiser's attorney, for a joint opinion, to have the item on the next agenda for a status report, to pursue the issue as well with SWFWMD, and to report on that as well. The motion carried five to zero.** (Commissioner Frank was out of the room; Commissioner Norman was absent.)

There being no further business, the meeting was adjourned at 11:20 a.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk

fw

OCTOBER 5, 2000 - ENVIRONMENTAL PROTECTION COMMISSION SPECIAL MEETING -
DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Special Meeting to discuss Tampa Bay Water's (TBW) Request for Extension of the Tampa Bypass Canal Water Use Permit and Arbitration of the TBW's Environmental Resource and Army Corps of Engineers Permits for the Tampa Bay Regional Reservoir, scheduled for Thursday, October 5, 2000, at 2:30 p.m., in the Boardroom, County Center, Tampa, Florida.

The following members were present: Chairman Jan Platt and Commissioners Pat Frank, Chris Hart, Jim Norman, and Thomas Scott.

The following members were absent: Commissioners Ronda Storms (water conference) and Ben Wacksman.

Chairman Platt called the meeting to order at 3:06 p.m.

APPROVE TBW'S SUBMITTAL OF A LETTER TO SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT REQUESTING A 90-DAY EXTENSION OF THE EXPIRATION DATE OF THE TAMPA BYPASS CANAL WATER USE PERMIT 206675.04

General Counsel Richard Tschantz, EPC, said EPC did not seek arbitration on the Tampa Bypass Canal water use permit. The issue was an extension of the existing permit. Chairman Platt asked if EPC agreed with the actions taken that day by the Board of County Commissioners (BOCC) in regard to the same issue. Attorney Tschantz concurred.

Commissioner Frank moved to accept staff recommendation on the extension of the Bypass Canal permit, seconded by Commissioner Hart, and carried four to zero. (Commissioners Storms and Wacksman were absent.)

AUTHORIZE INITIATION OF ARBITRATION FOR TBW'S ENVIRONMENTAL RESOURCE PERMIT AND ARMY CORPS OF ENGINEERS SECTION 404 PERMIT FOR THE TAMPA BAY REGIONAL RESERVOIR, AND DETERMINE WHETHER TO AUTHORIZE TBW TO FILE THE PERMIT APPLICATIONS IMMEDIATELY FOLLOWING RECEIPT OF HILLSBOROUGH COUNTY'S REQUEST FOR ARBITRATION

Attorney Tschantz presented EPC's concerns, noting there was incomplete information regarding wetland impacts, mitigation details, and secondary and indirect impacts. Other issues could arise as EPC continued to analyze the applications. The permit applications did not give EPC reasonable assurances that criteria had been met. Therefore, EPC recommended joining in the

THURSDAY, OCTOBER 5, 2000 - DRAFT MINUTES

arbitration of the two permit applications, along with the Water Resource Team. EPC concurred with the BOCC decision not to waive the 60-day waiting time for TBW to file the applications. **Commissioner Norman moved staff recommendation, with the issue about the waiver, seconded by Commissioner Scott.** Chairman Platt noted the motion was to arbitrate the two permits and not waive the 60-day requirement; Commissioner Norman concurred. **The motion carried five to zero.** (Commissioners Storms and Wacksman were absent.)

There being no further business, the meeting was adjourned at 3:16 p.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk

jp

NOVEMBER 1, 2000 - ENVIRONMENTAL PROTECTION COMMISSION SPECIAL MEETING -
DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Special Meeting to consider Tampa Bay Water's (TBW) Submittal to the Southwest Florida Water Management District (SWFWMD) of the Application for Renewal of the Tampa Bypass Canal Water Use Permit 206675.04, scheduled for Wednesday, November 1, 2000, at 2:15 p.m., in the Boardroom, County Center, Tampa, Florida.

The following members were present: Chairman Jan Platt and Commissioners Pat Frank, Chris Hart, and Jim Norman.

The following members were absent: Commissioners Thomas Scott, Ronda Storms, and Ben Wacksman.

Chairman Platt called the meeting to order at 2:34 p.m.

EPC General Counsel Richard Tschantz explained the negotiations with TBW had resulted in some modifications to the application for the Tampa Bypass Canal. EPC concurred with the decision and recommendation not to arbitrate. Attorney Tschantz requested authorization to send a letter to TBW and to SWFWMD, which was a parallel recommendation of the Water Resource Team, to be allowed to participate in discussions regarding the issue on monitoring changes. Other extensive monitoring was occurring, and EPC felt that any changes to monitoring the permit should be coordinated with all parties doing the monitoring. **Commissioner Hart moved the recommendations, which included that EPC staff prepare a letter to TBW and SWFWMD for the Chairman's signature, requesting inclusion of EPC staff in the discussions on monitoring schedules of TBW. Commissioner Norman seconded the motion, which carried four to zero.** (Commissioners Scott, Storms, and Wacksman were absent.)

There being no further business, the meeting was adjourned at 2:36 p.m.

READ AND APPROVED: _____

CHAIRMAN

ATTEST:

RICHARD AKE, CLERK

By: _____

Deputy Clerk

sw

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting, scheduled for Thursday, October 19, 2000, at 10:00 a.m., in the Boardroom, County Center, Tampa, Florida.

The following members were present: Vice Chairman Chris Hart and Commissioners Pat Frank, Jim Norman, Thomas Scott, Ronda Storms (arrived at 10:14 a.m.), and Ben Wacksman.

The following member was absent: Chairman Jan Platt (receiving award in Atlanta, Georgia).

Vice Chairman Hart called the meeting to order at 10:05 a.m. Commissioner Scott led in the pledge of allegiance to the flag and gave the invocation. Vice Chairman Hart said Chairman Platt was receiving an award as former chairman of the Tampa Bay Estuary program. Former EPC Executive Director Roger Stewart was also receiving an award for his 30 years of environmental preservation efforts.

PUBLIC HEARINGS

Consider Amendments to Chapter 1-3 (Air Rule) - EPC Chief Counsel Richard Tschantz said the amendments would make EPC and State regulations consistent. There had been no comment from the industry regarding the draft amendments, the Citizens Environmental Advisory Committee (CEAC) had given unanimous endorsement, and the public hearing had been noticed. Vice Chairman Hart called for public comment. Ms. Marilyn Smith, County resident, said too many loopholes remained, and the air was still not clean. **Commissioner Frank moved adoption of the amendment. Commissioner Wacksman seconded the motion, which carried six to zero.** (Chairman Platt was absent.)

Consider Amendments to Chapter 1-10 (Noise Rule) - Attorney Tschantz said the amendments updated the rule and provided consistency with the city of Tampa (City) noise ordinance adopted in November 1999. Notice had been given, and CEAC had endorsed the amendments. Mr. Jerry Campbell, EPC Director of Air Management Division, displayed a noise meter. Ms. Kay Strother, EPC staff, reviewed the changes in definitions and responded to Commissioner Storms about exceptions to the noise rule and how noise levels were measured. Ms. Strother responded to questions about permits and waivers for parades, the effect of exemptions, motor vehicles in the public right-of-way, water craft, and amusement parks. Amusement parks were exempt, because EPC had received few complaints, mostly involving the unamplified human voice, which was

exempt under the EPC noise rule. The Florida State Fairgrounds, which did not meet the definition of amusement park, were not exempt from the EPC noise rule. At the request of Commissioner Norman, Mr. Campbell would investigate what had happened with complaints from neighbors about noise from new rides at Busch Gardens.

Commissioner Frank thought the amusement park issue might affect the County more than the City, which had few amusement parks. Mr. Campbell clarified the State statute defined an amusement park as having at least 25 acres and one million visitors annually. The intent was to exclude the City from the numeric standard only, not the nuisance provision. When problems occurred regarding interpretation of the rule, EPC staff initiated discussion with the involved parties to reach a reasonable solution. Mr. Campbell advised Vice Chairman Hart annual church bazaars, which often used amusement park rides, were not addressed in the rule, because they were temporary.

Commissioner Norman recalled that noise from carnivals had sometimes been a serious problem for residents, and he asked how that would be addressed. Mr. Campbell explained it would likely be handled on a case-by-case basis. Before granting waivers for cultural events, EPC tried to be sensitive to nearby neighborhoods. EPC often heard about problems only after events began. However, with recurring events, EPC could work with the sponsoring organization beforehand to mitigate the effects.

Referencing Section 1.10.04, (E), Vice Chairman Hart asked if officially authorized spectator games would include events not typically thought of as games. Ms. Strother speculated the original intent addressed spectator games and concurred with the suggestion from Commissioner Storms to change the word games to events. Ms. Strother advised Commissioner Storms loud noise from persons riding motorcycles in parking lots was handled on a case-by-case basis by the Sheriff's Office.

Ms. Strother listed other exemptions, which included mobile sources under federal regulations such as trains, ships, and aircraft. At the request of Vice Chairman Hart, Dr. Garrity would add an item to the next EPC meeting agenda on noise abatement efforts undertaken by Tampa International Airport and the aviation industry. Dr. Garrity advised Commissioner Frank a State bill had exempted sport shooting ranges from the EPC noise rule.

Vice Chairman Hart called for public comment. Ms. Barbara Merritt, Chelsea Street, concurred with some of the changes and asked if all County

municipalities were consistent with EPC rules. Although the Fairgrounds had a policy prohibiting outside concerts, she asked that the Fairgrounds not be exempted from the EPC noise rule. At the request of Ms. Smith, Attorney Tschantz would investigate how the sport shooting exemption had passed. Vice Chairman Hart commented that members of the Legislative Delegation had been in opposition to the sport shooting exemption. Commissioner Frank suggested asking the Legislative Delegation to reconsider some local government control issues. Dr. Garrity said further clarification might be needed about the Florida State Fairgrounds. Referencing Section 1-10.01, Definitions, Mr. Campbell suggested adding the words does not include the Fairgrounds. Attorney Tschantz could not advise Commissioner Norman if the rule was silent on shooting ranges and suggested a continuance to research the issue. **Commissioner Frank moved to continue. Commissioner Scott seconded the motion, which carried six to zero.** (Chairman Platt was absent.) Dr. Garrity said the continuance date was November 16, 2000, at 10:00 a.m.

Attorney Tschantz and Ms. Strother clarified for Commissioner Frank that only exemptions EPC deemed reasonable had been included. The City recognized the EPC rule, and in cases where the EPC rule was more stringent, it could be enforced in the County and all County municipalities. Commissioner Norman wanted to ensure the rule would not make it difficult for law enforcement personnel to practice use of firearms. Dr. Garrity said there was a properly buffered range near the reservoir site. Commissioner Norman wanted to make certain there would be no gap in firearms training and practice for law enforcement personnel if the range had to be relocated.

CITIZENS' COMMENTS

Representing the Community Environmental Health Advisory Board, Ms. Merritt presented concerns about automobile emissions, water treatment plants, water storage, and a higher incidence of asbestos and breathing difficulties in areas bordering interstate highways. She asked if an asbestos reading for the County was available as part of air quality standards measurements. Mr. Campbell said outside air was not tested for asbestos, although a program was in place to monitor removal of asbestos from buildings. Ms. Marilyn Smith, County resident, listed 26 sources of pollution and air pollution in the County. In reply to Commissioner Storms, Dr. Garrity explained the agreement between environmental regulators and Tampa Electric Company on the Ganon and Big Bend facilities would continue to improve air quality in the County. Mr. Campbell gave details about the implementation schedule.

CEAC

Vice Chairman Hart advised Mr. Larry Padgett, CEAC chairman, had sustained a second heart attack. Mr. Thomas Mann, CEAC vice chairman, was present. Dr. Garrity said the last CEAC meeting had included review of proposed pollution recovery fund and Gardinier trust fund projects and the EPC noise rule.

EXECUTIVE DIRECTOR'S REPORT

Vice Chairman Hart said Dr. Garrity had met individually with each EPC Board member. Dr. Garrity gave a presentation on the goals and objectives, which were detailed in agenda backup. An update was proposed in six months, with a final report in one year. Vice Chairman Hart and Commissioner Wacksman commended Dr. Garrity and EPC staff for their work. **Commissioner Frank moved to accept the recommended goals and objectives with the understanding there would be an evaluation of the goals and objectives in six months. Commissioner Wacksman seconded the motion, which carried four to zero.** (Chairman Platt was absent; Commissioners Norman and Scott were out of the room.) Dr. Garrity thanked EPC staff, particularly Attorney Sara Fotopulous, EPC Director of Public and Intergovernmental Affairs, for their help.

CONSENT AGENDA

- A. Approval of Minutes - None
- B. Monthly Activity Reports
- C. Legal Department Monthly Report
- D. Pollution Recovery Trust Fund
- E. Gardinier Settlement Trust Fund

Commissioner Wacksman moved approval of the Consent Agenda. Commissioner Storms seconded the motion, which carried four to zero. (Chairman Platt was absent; Commissioners Norman and Scott were out of the room.)

WATER MANAGEMENT DIVISION

Staff Report on Sinkhole Plugging - Vice Chairman Hart advised Chairman Platt had requested the item be continued to the next EPC meeting. **Commissioner Wacksman moved to continue. Commissioner Storms seconded the motion, which carried four to zero.** (Chairman Platt was absent; Commissioners Norman and Scott were out of the room.)

THURSDAY, OCTOBER 19, 2000 - DRAFT MINUTES

Update on Lake Grady - Mr. Tom Cardinale, EPC staff, said well water quality in the monitoring wells had shown no fecal coliform last week. Residents had been instructed by the Health Department on how to disinfect their wells, after which resampling of all wells would be conducted by the Health Department.

OFF-THE-AGENDA ITEMS

Special EPC Meeting - Attorney Tschantz said a special EPC meeting would be scheduled on November 1, 2000, regarding arbitration of the Tampa Bypass Canal water use permit.

Exotic and Invasive Plants Report - After referencing an article stating exotic plant species were the number one threat to environmental stability in Florida, **Commissioner Storms moved that EPC staff return with a report on what EPC was doing regarding exotic and invasive species of plants.** At the request of Commissioner Frank, Dr. Garrity would include information about whether the 1,750 trees removed in the City would be replaced with native species. **The motion carried five to zero.** (Chairman Platt was absent; Commissioner Scott was out of the room.)

There being no further business, the meeting was adjourned at 11:28 a.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk

fw

MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION
OCTOBER

A. Public Outreach/Education Assistance:		
1. Phone Calls		<u>225</u>
2. Literature Distributed		<u>19</u>
3. Presentations		<u>11</u>
4. Media Contacts		<u>23</u>
5. Internet		<u>90</u>
B. Industrial Air Pollution Permitting		
1. Permit Applications Received (Counted by Number of Fees Received):		
a. Operating:		<u>2</u>
b. Construction:		<u>2</u>
c. Amendments:		<u>0</u>
d. Transfers/Extensions:		<u>2</u>
e. General		<u>0</u>
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 :		<u>3</u>
b. Construction ¹ :		<u>3</u>
c. Amendments ¹ :		<u>2</u>
d. Transfers/Extensions ¹ :		<u>2</u>
e. Title V Operating ² :		<u>51</u>
f. Permit Determinations ² :		<u>8</u>
g. General		<u>3</u>
3. Intent to Deny Permit Issued		<u>0</u>
C. Administrative Enforcement		
1. Documents Issued:		
a. Notice of Intent to Initiate Enforcement		<u>1</u>
b. Citation		<u>0</u>
c. Emergency Order		<u>0</u>
2. Total Cases Initiated:		<u>1</u>
3. Cases Resolved:		<u>0</u>
4. Cases Referred to Legal Department:		<u>0</u>
5. Consent Orders Signed:		<u>1</u>
6. Contributions to the Pollution Recovery Fund:		<u>\$6,000.00</u>
	<u>Organization Name</u>	<u>Violation</u>
		<u>Amount</u>
a.	St. Joseph's Hospital	Improper Operation; Circumvention
		\$6,000

D.	Inspections:	
1.	Industrial Facilities:	<u>3</u>
2.	Air Toxics Facilities:	
a.	Asbestos Emitters	<u>0</u>
b.	Area Sources (i.e. Drycleaners, Chrome Platers, etc...)	<u>11</u>
c.	Major Sources	<u>0</u>
3.	Asbestos Demolition/Renovation Projects:	<u>35</u>
E.	Open Burning Permits Issued:	<u>18</u>
F.	Number of Division of Forestry Permits Monitored:	<u>227</u>
G.	Total Citizen Complaints Received:	<u>64</u>
H.	Total Citizen Complaints Closed:	<u>54</u>
I.	Noise Sources Monitored:	<u>1</u>
J.	Air Program's Input to Development Regional Impacts:	<u>2</u>
K.	Test Reports Reviewed:	<u>48</u>
L.	Compliance:	
1.	Warning Notices Issued:	<u>10</u>
2.	Warning Notices Resolved:	<u>18</u>
3.	Advisory Letters Issued:	<u>7</u>
M.	AOR's Reviewed:	<u>45</u>
N.	Permits Reviewed for NESHAP Applicability:	<u>4</u>

FEES COLLECTED FOR AIR MANAGEMENT DIVISION
October

	Total Revenue
1. Non-delegated construction permit for an air pollution source	
(a) New Source Review or Prevention of Significant Deterioration sources	\$ -0-
(b) all others	<u>\$ -0-</u>
2. Non-delegated operation permit for an air pollution source	
(a) class B or smaller facility - 5 year permit	\$ -0-
(b) class A2 facility - 5 year permit	<u>\$ -0-</u>
(c) class A1 facility - 5 year permit	<u>\$ -0-</u>
3. (a) Delegated Construction Permit for air pollution source (20% of the amount collected is forwarded to the DEP and not included here)	<u>\$ 280.00</u>
(b) Delegated operation permit for an air pollution source (20% of the amount collected is forwarded to the DEP and not included here)	<u>\$1,400.00</u>
(c) Delegated General Permit (20% is forwarded to DEP and not included here)	<u>\$ -0-</u>
4. Non-delegated permit revision for an air pollution source	<u>\$ 480.00</u>
5. Non-delegated permit transfer of ownership, name change or extension	<u>\$ -0-</u>
6. Notification for commercial demolition	
(a) for structure less than 50,000 sq ft	<u>\$1,610.00</u>
(b) for structure greater than 50,000 sq ft	<u>\$ -0-</u>
7. Notification for asbestos abatement	
(a) renovation 160 to 1000 sq ft or 260 to 1000 linear feet of asbestos	<u>\$ 435.00</u>
(b) renovation greater than 1000 linear feet or 1000 sq ft	<u>\$ 400.00</u>
8. Open burning authorization	<u>\$7,650.00</u>
9. Enforcement Costs	<u>\$1,164.31</u>

COMMISSION
 PAT FRANK
 CHRIS HART
 JIM NORMAN
 JAN PLATT
 THOMAS SCOTT
 RONDA STORMS
 BEN WACKSMAN



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 FAX (813) 272 - 5157

AIR MANAGEMENT DIVISION
 TELEPHONE (813) 272 - 5530

WASTE MANAGEMENT DIVISION
 TELEPHONE (813) 272 - 5788

WETLANDS MANAGEMENT DIVISION
 TELEPHONE (813) 272 - 7104

EXECUTIVE DIRECTOR
 RICHARD D. GARRITY, Ph.D.

MEMORANDUM

DATE: November 7, 2000

TO: Tom Koulianos, Director of Finance and Administration

FROM: Joyce H. Moore, ^{ject} Executive Secretary, Waste Management Division through
 Hooshang Boostani, Director of Waste Management

SUBJECT: ^{HK} **WASTE MANAGEMENT'S OCTOBER 2000 AGENDA INFORMATION**

A. ADMINISTRATIVE ENFORCEMENT

1. New cases received	5
2. On-going administrative cases	114
a. Pending	7
b. Active	57
c. Legal	13
d. Tracking Compliance (Administrative)	13
e. Inactive/Referred cases	22
f. Criminal Compliance tracking	2
3. NOI's issued	2
4. Citations issued	0
5. Consent Orders signed	0
6. Civil Contributions to the Pollution Recovery Fund	\$3,800.00
7. Criminal Contributions to the Pollution Recovery Fund	0
8. Enforcement Costs collected	\$479.96
9. Cases referred to Legal Dept.	1
10. Cases Closed	1



B. SOLID AND HAZARDOUS WASTE

1. Permits (received/reviewed)	56/35
2. EPC Authorization for Facilities NOT requiring DEP permit	1
3. Other Permits and Reports	
a. County Permits	0
b. Reports	55/35
4. Inspections (Total)	205
a. Complaints	35
b. Compliance/Reinspections	21
c. Facility Compliance	10
d. Small Quantity Generator	139
5. Enforcement	
a. Complaints Received/Closed	34/24
b. Warning Notices Issued/Closed	3/3
c. Compliance letters	32
d. Letters of Agreement	0
e. DEP Referrals	0
6. Pamphlets, Rules and Material Distributed	28

C. STORAGE TANK COMPLIANCE

1. Inspections	
a. Compliance	127
b. Installation	9
c. Closure	6
d. Compliance Re-Inspections	17
2. Installation Plans Received/Reviewed	7/3
3. Closure Plans & Reports	
a. Closure Plans Received/ Reviewed	1/1
b. Closure Reports Received/Reviewed	3/1
4. Enforcement	
a. Non-compliance Letters Issued/Closed	66/8
b. Warning Notices Issued/Closed	7/0
c. Cases referred to Enforcement	3
d. Complaints Received/Investigated	1/1
e. Complaints Referred	0
5. Discharge Reporting Forms Received	1
6. Incident Notification Forms Received	1
7. Cleanup Notification Letters Issued	0
8. Public Assistance	200+

D. STORAGE TANK CLEANUP

1. Inspections	36
2. Reports Received/Reviewed	57/45
a. Site Assessment	24/22
b. Source Removal	2/2
c. Remedial Action Plans (RAP's)	4/2
d. Site Rehabilitation Completion Order/ No Further Action Order	1/2
e. Others	26/17
3. State Cleanup	
a. Active Sites	5
b. Funds Dispersed	\$13,158.65

E. RECORD REVIEWS

74

COMMISSION
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 TELEPHONE (813) 272 - 7104

EXECUTIVE DIRECTOR
 RICHARD D. GARRITY, Ph.D.

MEMORANDUM

DATE: December 6, 2000

TO: Tom Koulianos, Director of Finance and Administration

FROM: Joyce H. Moore, Executive Secretary, Waste Management Division through
 Hooshang Boostani, Director of Waste Management
H.B.

SUBJECT: **WASTE MANAGEMENT'S NOVEMBER 2000 AGENDA INFORMATION**

A. ADMINISTRATIVE ENFORCEMENT

1. New cases received	3
2. On-going administrative cases	114
a. Pending	10
b. Active	56
c. Legal	13
d. Tracking Compliance (Administrative)	13
e. Inactive/Referred cases	21
f. Criminal Compliance tracking	2
3. NOI's issued	0
4. Citations issued	0
5. Consent Orders signed	2
6. Civil Contributions to the Pollution Recovery Fund	\$2,400.00
7. Criminal Contributions to the Pollution Recovery Fund	0
8. Enforcement Costs collected	\$279.60
9. Cases referred to Legal Dept.	0
10. Cases Closed	1



B. SOLID AND HAZARDOUS WASTE

1. Permits (received/reviewed)	39/41
2. EPC Authorization for Facilities NOT requiring DEP permit	0
3. Other Permits and Reports	
a. County Permits	0
b. Reports	39/41
4. Inspections (Total)	222
a. Complaints	48
b. Compliance/Reinspections	18
c. Facility Compliance	16
d. Small Quantity Generator	140
5. Enforcement	
a. Complaints Received/Closed	44/41
b. Warning Notices Issued/Closed	0/4
c. Compliance letters	36
d. Letters of Agreement	0
e. DEP Referrals	0
6. Pamphlets, Rules and Material Distributed	234

C. STORAGE TANK COMPLIANCE

1. Inspections	
a. Compliance	82
b. Installation	14
c. Closure	8
d. Compliance Re-Inspections	8
2. Installation Plans Received/Reviewed	3/1
3. Closure Plans & Reports	
a. Closure Plans Received/ Reviewed	0/0
b. Closure Reports Received/Reviewed	3/1
4. Enforcement	
a. Non-compliance Letters Issued/Closed	49/1
b. Warning Notices Issued/Closed	3/0
c. Cases referred to Enforcement	4
d. Complaints Received/Investigated	1/1
e. Complaints Referred	0
5. Discharge Reporting Forms Received	0
6. Incident Notification Forms Received	0
7. Cleanup Notification Letters Issued	1
8. Public Assistance	200+

D. STORAGE TANK CLEANUP

1. Inspections	24
2. Reports Received/Reviewed	62/72
a. Site Assessment	22/24
b. Source Removal	3/1
c. Remedial Action Plans (RAP's)	4/8
d. Site Rehabilitation Completion Order/ No Further Action Order	3/4
e. Others	30/35
3. State Cleanup	
a. Active Sites	5
b. Funds Dispersed	\$0.00

E. RECORD REVIEWS 50

F. PUBLIC INFORMATION PROJECTS 6

Kelley Boatwright & Brenda Fonda – The Great American Teach-In (1 Class)
 Mary Yeargan – The Great American Teach-In (3 Classes)
 Marie Clarke – The Great American Teach-In (1 Class)
 Terry Payton – USF nursing students

**ACTIVITIES REPORT
WATER MANAGEMENT DIVISION
OCTOBER, 2000**

A. ENFORCEMENT

1. New Enforcement Cases Received:	3	
2. Enforcement Cases Closed:	0	
3. Enforcement Cases Outstanding:	51	
4. Enforcement Documents Issued:	5	
5. Warning Notices:	10	
a. Issued:	7	
b. Resolved:	3	
6. Recovered costs to the General Fund:	\$ 0	
7. Contributions to the Pollution Recovery Fund:	\$1,283.33	

<u>Case Name</u>	<u>Violation</u>	<u>Amount</u>
a. Country Road Park	Expired Permit	200.00
b. Windemere Utility	Improper operation/ failure to maintain	750.00
c. Hughes Hard Chrome	Industrial WW discharge	333.33

B. PERMITTING - DOMESTIC

1. Permit Applications Received:	33	
a. Facility Permit:	5	
(i) Types I and II	1	
(ii) Type III	4	
b. Collection Systems-General:	20	
c. Collection Systems-Dry Line/Wet Line:	8	
d. Residuals Disposal:	0	
2. Permit Applications Approved:	27	
a. Facility Permit:	2	
b. Collection Systems-General:	15	
c. Collection Systems-Dry Line/Wet Line:	10	
d. Residuals Disposal:	0	
3. Permit Applications Recommended for Disapproval:	0	
a. Facility Permit:	0	
b. Collection Systems-General:	0	
c. Collection Systems-Dry Line/Wet Line:	0	
d. Residuals Disposal:	0	
4. Permit Applications (Non-Delegated) Recommended for Approval:	1	
5. Permits Withdrawn:	0	
6. Permit Applications Outstanding:	34	
a. Facility Permit:	16	
b. Collection Systems-General:	11	
c. Collection Systems-Dry Line/Wet Line:	7	
d. Residuals Disposal:	0	

C. INSPECTIONS - DOMESTIC	86
1. Compliance Evaluation:	8
a. Inspection (CEI):	1
b. Sampling inspection (CSI):	9
c. Toxics Sampling Inspection (XSI):	0
d. Performance Audit Inspection (PAI):	0
2. Reconnaissance:	45
a. Inspection (RI):	11
b. Sample Inspection (SRI):	0
c. Complaint Inspection (CRI):	44
d. Enforcement Inspection (ERI):	1
3. Special:	33
a. Diagnostic Inspection (DI):	2
b. Residual Site Inspection (RSI):	0
c. Preconstruction Inspection (PCI):	12
d. Post Construction Inspection (XCI):	19
D. PERMITTING - INDUSTRIAL	
1. Permit Applications Received:	0
a. Facility Permit:	2
(i) Types I and II	0
(ii) Type III with groundwater monitoring	0
(iii) Type III w/o groundwater monitoring	0
b. General Permit:	0
c. Preliminary Design Report:	0
(i) Types I and II	0
(ii) Type III with groundwater monitoring	0
(iii) Type III w/o groundwater monitoring	0
2. Permits Recommended to DEP for Approval:	0
3. Permit Applications Outstanding:	30
a. Facility Permits:	30
b. General Permits:	0
E. INSPECTIONS - INDUSTRIAL	15
1. Compliance Evaluation:	4
a. Inspection (CEI):	4
b. Sampling Inspection (CSI):	0
c. Toxics Sampling Inspection (XSI):	0
d. Performance Audit Inspection (PAI):	0
2. Reconnaissance:	11
a. Inspection (RI):	3
b. Sample inspection (SRI):	1
c. Complaint Inspection (CRI):	7

F. CITIZEN COMPLAINTS	
1. Domestic:	<u>33</u>
a. Received:	<u>10</u>
b. Closed:	<u>23</u>
2. Industrial:	<u>3</u>
a. Received:	<u>2</u>
b. Closed:	<u>1</u>
3. Water Pollution:	<u>5</u>
a. Received:	<u>0</u>
b. Closed:	<u>5</u>
G. RECORD REVIEWS	
1. Permitting:	<u>3</u>
2. Enforcement:	<u>0</u>
H. ENVIRONMENTAL SAMPLES ANALYSED FOR:	
1. Air Division:	<u>83</u>
2. Waste Division:	<u>1</u>
3. Water Division:	<u>181</u>
4. Wetlands Division:	<u>0</u>
I. SPECIAL PROJECT REVIEWS	
1. DRI's:	<u>8</u>
2. Permitting:	<u>0</u>
3. Enforcement:	<u>0</u>
4. Other:	<u>0</u>
J. WATER QUALITY MONITORING SPECIAL PROJECTS	
1. Data Review	<u>2</u>
2. Special Sampling	<u>2</u>
3. Biomonitoring/Toxicity Reviews (DW)	<u>0</u>
4. Biomonitoring/Toxicity Reviews (IW)	<u>0</u>
5. Other	<u>1</u>
K. TAMPA PORT AUTHORITY/DEP DREDGE & FILL	<u>15</u>

AR10.00

**ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

NOVEMBER, 2000

A. ENFORCEMENT

1. New Enforcement Cases Received:	1
2. Enforcement Cases Closed:	5
3. Enforcement Cases Outstanding:	46
4. Enforcement Documents Issued:	4
5. Warning Notices:	9
a. Issued:	6
b. Resolved:	3
6. Recovered costs to the General Fund:	\$ 764.82
7. Contributions to the Pollution Recovery Fund:	\$3224.31

Case Name	Violation	Amount
a. Windemere Utility Company	Failure to maintain/improper operation, failure to maintain perc ponds	\$750.00
b. Cross Creek Elementary School	Placement of collection system in service w/o an acceptance letter	\$600.00
c. Lakeside Townhomes f.k.a. LakeEllen Townhomes	Construction without a permit	\$500.00
d. West Lake Corporate Center (II)	Placement of collection system in service w/o an acceptance letter	\$600.00
e. Sunstate Industrial Park	Placement of collection system in service w/o an acceptance letter	\$140.98
f. Heritage Isles Golf Course	Construction without a permit	\$300.00
g. Hughes Hard Chrome	Industrial Wastewater Discharge	\$333.33

B. PERMITTING - DOMESTIC

1. Permit Applications Received:	31
a. Facility Permit:	5
(i) Types I and II	1
(ii) Type III	4
b. Collection Systems-General:	16
c. Collection Systems-Dry Line/Wet Line:	10
d. Residuals Disposal:	0
2. Permit Applications Approved:	31
a. Facility Permit:	3
b. Collection Systems-General:	19
c. Collection Systems-Dry Line/Wet Line:	9
d. Residuals Disposal:	0
3. Permit Applications Recommended for Disapproval:	1
a. Facility Permit:	0
b. Collection Systems-General:	1
c. Collection Systems-Dry Line/Wet Line:	0
d. Residuals Disposal:	0

4. Permit Applications (Non-Delegated) Recommended for Approval:	<u>0</u>
5. Permits Withdrawn:	<u>0</u>
6. Permit Applications Outstanding:	<u>32</u>
a. Facility Permit:	<u>17</u>
b. Collection Systems-General:	<u>7</u>
c. Collection Systems-Dry Line/Wet Line:	<u>8</u>
d. Residuals Disposal:	<u>0</u>
C. INSPECTIONS - DOMESTIC	<u>116</u>
1. Compliance Evaluation:	<u>11</u>
a. Inspection (CEI):	<u>0</u>
b. Sampling inspection (CSI):	<u>11</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>0</u>
2. Reconnaissance:	<u>66</u>
a. Inspection (RI):	<u>14</u>
b. Sample Inspection (SRI):	<u>0</u>
c. Complaint Inspection (CRI):	<u>51</u>
d. Enforcement Inspection (ERI):	<u>1</u>
3. Special:	<u>39</u>
a. Diagnostic Inspection (DI):	<u>0</u>
b. Residual Site Inspection (RSI):	<u>0</u>
c. Preconstruction Inspection (PCI):	<u>12</u>
d. Post Construction Inspection (XCI):	<u>27</u>
D. PERMITTING - INDUSTRIAL	
1. Permit Applications Received:	<u>0</u>
a. Facility Permit:	<u>0</u>
(i) Types I and II	<u>0</u>
(ii) Type III with groundwater monitoring	<u>0</u>
(iii) Type III w/o groundwater monitoring	<u>0</u>
b. General Permit:	<u>0</u>
c. Preliminary Design Report:	<u>0</u>
(i) Types I and II	<u>0</u>
(ii) Type III with groundwater monitoring	<u>0</u>
(iii) Type III w/o groundwater monitoring	<u>0</u>
2. Permits Recommended to DEP for Approval:	<u>3</u>
3. Permit Applications Outstanding:	<u>27</u>
a. Facility Permits:	<u>27</u>
b. General Permits:	<u>0</u>
E. INSPECTIONS - INDUSTRIAL	<u>23</u>
1. Compliance Evaluation:	<u>5</u>
a. Inspection (CEI):	<u>5</u>
b. Sampling Inspection (CSI):	<u>0</u>

c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>0</u>
2. Reconnaissance:	18
a. Inspection (RI):	<u>13</u>
b. Sample inspection (SRI):	<u>0</u>
c. Complaint Inspection (CRI):	<u>5</u>
F. CITIZEN COMPLAINTS	
1. Domestic:	36
a. Received:	<u>20</u>
b. Closed:	<u>16</u>
2. Industrial:	10
a. Received:	<u>5</u>
b. Closed:	<u>5</u>
3. Water Pollution:	4
a. Received:	<u>2</u>
b. Closed:	<u>2</u>
G. RECORD REVIEWS	
1. Permitting:	<u>5</u>
2. Enforcement:	<u>0</u>
H. ENVIRONMENTAL SAMPLES ANALYSED FOR:	
1. Air Division:	<u>132</u>
2. Waste Division:	<u>2</u>
3. Water Division:	<u>132</u>
4. Wetlands Division:	<u>0</u>
I. SPECIAL PROJECT REVIEWS	
1. DRI's:	<u>0</u>
2. Permitting:	<u>0</u>
3. Enforcement:	<u>0</u>
4. Other:	<u>0</u>
J. WATER QUALITY MONITORING SPECIAL PROJECTS	
1. Data Review	<u>0</u>
2. Special Sampling	<u>0</u>
3. Biomonitoring/Toxicity Reviews (DW)	<u>0</u>
4. Biomonitoring/Toxicity Reviews (IW)	<u>1</u>
5. Other	<u>0</u>
K. TAMPA PORT AUTHORITY/DEP DREDGE & FILL	<u>9</u>

ASSESSMENT SECTION

A. EPC Wetlands Reviews

1.	Wetland Delineations	
	a. Wetland Delineations (\$120)	33
	b. Wetland Delineation Dispute	3
	c. Wetland Line Survey Reviews	26
	d. Additional Footage Fees	\$801.88
2.	Misc. Activities in Wetlands (\$0 or \$100 as applicable)	
	a. Nuisance Vegetation	10
	b. Other	18
3.	Impact/Mitigation Proposal (\$775)	3
4.	Mitigation Agreements Recorded	6
5.	FDOT Reviews	0

B. EPC Delegation/Reviews from State/
 Regional/ Federal Authorities

1.	Tampa Port Authority Permit Apps. (\$50 or \$150 as applicable)	35
2.	Wastewater Treatment Plants (FDEP)	8
3.	FDEP Wetland Resource Apps.	0
4.	FDEP Grandfathered Delineation	0
5.	SWFWMD Wetland Resource Apps.	0
6.	Army Corps of Engineers	0

EPC Wetlands Management Division
 Agenda Backup for OCTOBER 2000
 Page 2

	TOTALS
7. Interagency Clearinghouse Reviews	0
8. DRI Annual Report	1
 C. Hills. County/ Municipality Permit Application Reviews	
1. Land Alteration/Landscaping (\$100)	2
2. Land Excavation (\$785 or \$650 as applicable)	0
3. Phosphate Mining	
a. Unit Review/Reclamation (\$760)	0
b. Annual Review/Inspection (\$375)	0
4. Rezoning	
a. Reviews (\$85)	27
b. Hearings	4
c. Hearing Prep (hours)	6
5. Site Development/Commercial (\$360)	
a. Preliminary	14
b. Construction	23
6. Subdivision	
a. Preliminary Plat (\$140)	0
b. Master Plan (\$550)	0
c. Construction Plans (\$250)	2
d. Final Plat (\$90)	12
e. Waiver of Regulations (\$100)	0
f. Platted, No-Improvements (\$100)	5
g. Minor - Certified Parcel (\$100)	10
7. As-Builts (\$255)	8

TOTALS

8.	Miscellaneous Reviews (no fees)	
a.	Wetland Setback Encroachment	5
b.	Easement /Vacating	2
c.	NRCS Review	0
9.	Preapplications (no fees)	
a.	Review preparation (hours)	15.75
b.	Meetings/Reports	11.5
10.	Development Review Committee (no fees)	
a.	Review preparation (hours)	4
b.	Meetings	1
D. Other Activities		
1.	Unscheduled meetings with members of the public (walk-ins)	118
2.	Other Meetings	132
3.	Telephone conferences	1051
4.	Presentations	0
5.	Correspondence	164
6.	Correspondence Review (hours)	36
7.	Special Projects (hours)	146.5
8.	On-site visits	166
9.	Appeals (hours)	2.75

ADMINISTRATIVE ENFORCEMENT	TOTALS
A. NEW CASES RECEIVED	1
B. ACTIVITIES	
1. Ongoing Cases	
a. Active	57
b. Legal	3
c. Inactive	28
2. Number of "Notice of Intent to Initiate Enforcement"	1
3. Number of Citations Issued	0
4. Number of "Emergency Order of the Director"	0
5. Number of Consent Orders Signed	5
C. CASES CLOSED	
1. Administrative / Civil Cases Closed	2
2. Criminal Cases Closed	0
3. Cases Referred to Legal Dept.	0
D. CONTRIBUTIONS TO POLLUTION RECOVERY	\$4,406.00
E. ENFORCEMENT COSTS COLLECTED	\$2,188.00

INVESTIGATIONS / COMPLIANCE SECTION

A. COMPLAINTS	TOTALS
1. Received	38
2. Return Inspections	70
3. Closed	64
B. WARNING NOTICES	
1. Issued	23
2. Return Inspections	79
3. Closed	13
C. MITIGATION	
1. Compliance/Monitoring Reviews	20
2. Compliance Inspections	32
D. OTHER ACTIVITIES	
1. Case Meetings	0
2. Other Meetings	29
3. Telephone Calls	471
4. File Reviews	16
5. Cases Referred to Enforcement Coordinator	2
6. Letters	72

ADMINISTRATIVE / TECHNICAL SECTIONS

A. SOIL SCIENTIST

1. Case Reviews	6
2. Field Soil Investigations	5
3. Reports or Notes of Soil Investigations	5
4. Special Projects	
- Central System Wellfield Phase I Mitigation	
- Northern Tampa Bay Phase II Investigation Program (SWFWMD)	
- The Optimized Regional Operations Plan of Water Supply System	
- Alafia River Intake and Pump Station	

B. ADMINISTRATIVE SUPPORT STAFF

1. File Reviews	5
2. Telephone Assistance	537
3. Letters	189
4. Incoming Projects	108
5. Additional Info / Additional Footage	11 / 10
6. Resubmittals / Revisions	12 / 5
7. Surveys / Data Entry	22 / 447

C. ENGINEERING STAFF

1. Meetings	25
2. Reviews	39
3. Field Investigations	10

ASSESSMENT SECTION

A. EPC Wetlands Reviews

1.	Wetland Delineations	
	a. Wetland Delineations (\$120)	45
	b. Wetland Delineation Dispute	1
	c. Wetland Line Survey Reviews	25
	d. Additional Footage Fees	\$1,739.23
2.	Misc. Activities in Wetlands (\$0 or \$100 as applicable)	
	a. Nuisance Vegetation	11
	b. Other	17
3.	Impact/Mitigation Proposal (\$775)	3
4.	Mitigation Agreements Recorded	1
5.	FDOT Reviews	0

B. EPC Delegation/Reviews from State/
Regional/ Federal Authorities

1.	Tampa Port Authority Permit Apps. (\$50 or \$150 as applicable)	49
2.	Wastewater Treatment Plants (FDEP)	24
3.	FDEP Wetland Resource Apps.	0
4.	FDEP Grandfathered Delineation	0
5.	SWFWMD Wetland Resource Apps.	0
6.	Army Corps of Engineers	0

EPC Wetlands Management Division
 Agenda Backup for NOVEMBER 2000
 Page 2

TOTALS

7.	Interagency Clearinghouse Reviews	0
8.	DRI Annual Report	0
C. Hills. County/ Municipality Permit Application Reviews		
1.	Land Alteration/Landscaping (\$100)	4
2.	Land Excavation (\$785 or \$650 as applicable)	0
3.	Phosphate Mining	
	a. Unit Review/Reclamation (\$760)	0
	b. Annual Review/Inspection (\$375)	0
4.	Rezoning	
	a. Reviews (\$85)	31
	b. Hearings	0
	c. Hearing Prep (hours)	0
5.	Site Development/Commercial (\$360)	
	a. Preliminary	7
	b. Construction	36
6.	Subdivision	
	a. Preliminary Plat (\$140)	4
	b. Master Plan (\$550)	0
	c. Construction Plans (\$250)	13
	d. Final Plat (\$90)	12
	e. Waiver of Regulations (\$100)	0
	f. Platted, No-Improvements (\$100)	5
	g. Minor - Certified Parcel (\$100)	7
7.	As-Builts (\$255)	5

TOTALS

8.	Miscellaneous Reviews (no fees)	
	a. Wetland Setback Encroachment	1
	b. Easement /Vacating	3
	c. NRCS Review	0
9.	Preapplications (no fees)	
	a. Review preparation (hours)	21.75
	b. Meetings/Reports	10
10.	Development Review Committee (no fees)	
	a. Review preparation (hours)	5.5
	b. Meetings	1
D. Other Activities		
1.	Unscheduled meetings with members of the public (walk-ins)	82
2.	Other Meetings	114
3.	Telephone conferences	892
4.	Presentations	1
5.	Correspondence	199
6.	Correspondence Review (hours)	56.75
7.	Special Projects (hours)	135.5
8.	On-site visits	134
9.	Appeals (hours)	0

EPC LEGAL DEPARTMENT MONTHLY REPORT

December 4, 2000

A. ADMINISTRATIVE CASES

NEW CASES [2]

Tampa Bay Regional Reservoir [LRES00-014]: On October 16, 2000 Hillsborough County EPC and Hillsborough County filed notice for binding arbitration regarding Tampa Bay Water's Environmental Resource Permit application to the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers section 404 permit application on the Tampa Bay Regional Reservoir. EPC asserts that reasonable assurances have not been provided that the application meets all applicable agency rules, policies and statutes. Written discovery (interrogatories and requests for production) have been filed. Depositions are scheduled to begin in January. The first case management conference is scheduled for December 8, 2000. At that time, the arbitration panel is to hear oral argument on the Petitioners' Motion to Determine the scope of arbitration. (KKB)

Tampa Bay Shipbuilding & Repair v. EPC [LTAM00-015]: On November 1, 2000 a permittee, Tampa Bay Ship Building & Repair, filed a formal petition for administrative hearing pursuant to Chapter 120, F.S., challenging conditions placed in a FDEP delegated air pollution source permit. (RT)

EXISTING CASES [7]

FIBA/Bridge Realty [LBRI95-162]: EPC issued a citation to the owner, Bridge Realty and former tenant FIBA Corp., for various unlawful waste management practices. It was ordered that a contamination assessment must be conducted, a report submitted and contaminated material appropriately handled. Bridge Realty and FIBA appealed. Bridge Realty initiated a limited assessment and staff requested additional information only a portion of which was delivered. However, an alternate remedial plan was approved and staff is reviewing the final report. (RT)

City of Tampa [LCOTZ99-005]: Appeal of EPC Citation for the improper disposal of street sweeping debris. Parties agreed in June 1999 to abate the proceeding to develop a plan for the proper disposal of the material. The plan has been reviewed and comments relayed to the city. The city has resolved almost all non-compliance issues. On October 17, 2000 a Settlement Letter was sent to the City of Tampa regarding reimbursement of EPC's administrative costs in the matter. The City of Tampa has orally agreed to settle the matter but may not respond with a signed Settlement Letter until December 8th due to delays in getting the governmental body to execute the letter. (AZ)

Cone Constructors, Inc. [LCONB99-006]: (*See related case under Civil Cases*). Citation for Noise Rule violations during the construction of the Suncoast Parkway was appealed. On September 14, 2000, Mr. Cone signed a Settlement Letter to resolve this case. In addition to prohibiting Mr. Cone from conducting night time operation of heavy duty rock hauling, the Settlement Letter provided for payment of \$1,074.00 as reimbursement for costs and expenses associated with the investigation and resolution of this matter. To date, Mr. Cone has not paid the agreed upon amount. Options for collection of the agreed upon amount are being investigated. (KKB)

Presto Food Stores Inc. [LPREZ00-002]: Appeal of a citation regarding out of compliance Underground Storage Tanks. The landowner requested an administrative hearing, asserting a lack of ownership of the UST system. The tenants also claim no ownership. The Hearing Officer continued the pre-hearing conference pending the property owner's efforts to properly close the system. The USTs have been emptied of product. The landowner has submitted a closure report of the UST system. The closure inspection has determined that no further assessment of the former UST is required and the facility is currently in compliance. On October 17, 2000 a Settlement Letter was sent to the property owner, Presto Food Stores, Inc. regarding reimbursement of EPC's administrative costs. The EPC has waived penalties against the property owner and is seeking penalties against the tank owner and operator, Gazi Haque instead. On November 16, 2000 a Settlement Letter was executed between the EPC and the property owner. A check for \$672.53 was received for re-imburement of EPC's costs in obtaining compliance. On October 26, 2000 a proposed Settlement Letter was sent to the tank owner and operator Gazi Haque. No response has been received from Mr. Haque. (AZ)

Watermark [LWATB98-168]: Appeal of a citation for out-of-compliance Underground Storage Tanks (UST's) at the Kings Point Golf Course. The regulatory deadline for upgrading or properly closing the UST's is passed. The landowner requested an administrative hearing, asserting that extenuating circumstances should be considered. Efforts continue to resolve this matter without having to refer to a hearing officer. Landowner and EPC are currently negotiating a P2 pollution prevention plan in lieu of a portion of the penalties. EPC staff is currently calculating penalties and costs for inserting into the consent order. (AZ)

DOT [LDOTF00-008]: DOT appealed a citation issued to them for failing to obtain a Director's Authorization prior to excavating solid waste from old landfills at two sites in Hillsborough County. Since DOT indicated that negotiations for settlement were underway, the appeal proceedings will be held in abeyance pending possible settlement. (RT)

Tampa Bay Organics [LTBOF00-007]: Tampa Bay Organics, a wood recycling facility, filed a Notice of Appeal of EPC's citation for causing a dust nuisance and for operating an air pollution source without valid permits. The appeal is being held in abeyance pending settlement discussions. A draft consent order was sent to TBO November 15, 2000. (KKB)

RESOLVED CASES [2]

Mike Carter Construction [LWILZ00 011]: Mike Carter Construction filed an appeal of the Executive Director's denial of its request to impact wetlands in the construction of a public storage facility at Wilsky Blvd. and Waters Ave. Information provided by the applicant indicates that in 1987 EPC participated in the review of a Hillsborough County rezoning petition. The zoning petition incorporated the wetland line as delineated by staff in 1987. Delineations that have been incorporated in the approval of development by another governmental body shall be valid for the life of that approval. Because of the previous determination, the project site at issue does not contain wetlands regulated by Chapter 1-11. Counsel for Mike Carter Construction withdrew its request for appeal on October 17, 2000. (KKB)

Lakeshore Villas Mobile Home Park [LLAKZ00-010]: Lakeshore Villas, an applicant for a permit which EPC proposed to deny, converted its Chapter 120 petition to challenge the denial into a formal Request for Extension of time to file a petition. Applicant was granted until November 29, 2000 to file a petition, giving Lakeshore Villas additional time to resolve the problems identified by EPC staff. On November 29, 2000 the applicant received a permit after entering into a Consent Order. The time for filing a petition has expired. (AZ)

B. CIVIL CASES

NEW CASES [0]

EXISTING CASES [14]

Holley, Raymond, et al. [LHOL94-161]: Suit was filed in 1994 to compel proper closure for an abandoned underground storage tank and to obtain civil penalties and costs. The Defendants defaulted but obtained a judicial stay by filing bankruptcy. The bankruptcy case closed in April 1998 and EPC renewed its previously filed Motion for Judgment after Default. Although staff tried to work with Defendants as being eligible for state assistance under the Abandoned Tank Restoration Plan, Defendants did not cooperate. EPC filed an Amended Motion for Judgment after Default with a supporting affidavit on costs and scheduled a hearing. On July 25, 2000 the Court entered a Default Final Judgment requiring the Defendant to properly close the USTs, pay costs of \$1,240.87, and required payment of \$22,100 in penalties if the order for injunctive relief is not complied with. The Defendants have not complied with the judgment and the legal staff is drafting a motion for contempt to get the facility properly closed. EPC staff is attempting to settle the matter without further litigation by assisting the Defendants to become eligible for state assistance in the cleanup of the property. Negotiations continue. (AZ)

Slusmeyer [LSLU94-152]: Suit was filed in 1994 to compel proper closure for an abandoned underground storage tank and to obtain civil penalties and costs. In 1995 a judgment was entered by the court ordering the closure of the underground storage tanks and providing for penalties and costs. Defendant did not comply with the judgment. EPC asked the court to hold the Defendant in contempt for failure to remove the tanks. On April 27, 2000 the judge took the issue of contempt under advisement and allowed Defendant 60 days to comply with the judgment after which further sanctions would be sought. The day prior to the hearing on the Renewed Motion for Contempt, the Defendant retained an attorney and a consultant in order to comply with the judgment. He was provided a brief additional amount of time to resolve all outstanding issues. The underground storage tanks were removed from the site on October 6, 2000 and a proper closure report should be submitted by December 6, 2000. Upon approval of the closure report the only remaining issues will be recovering penalties and costs. (AZ)

Kings Food Mart [LKIN96-159]: Authority granted to compel assessment of reported contamination at a retail gasoline facility and to compel compliance with leak detection regulations for an existing Underground Storage Tank system. Complaint has been drafted and enclosed with a demand letter on June 13, 2000. After meeting with the legal office and Waste Management staff, the landowner has since applied for petroleum contamination cleanup assistance and has gotten into compliance with other issues. On October 26, 2000 a Settlement Letter was sent to the property owner regarding reimbursement of EPC's administrative costs and penalties. EPC is waiting for a response to the Settlement Letter. (AZ)

Mulberry Phosphate [LMULF98-166]: Authority granted January 1998 to proceed against Mulberry to recover environmental damages as result of a process water spill from an impoundment system failure. The spill impacted the Alafia River and Tampa Bay. EPC is also seeking recovery of costs of enforcement and civil penalties. EPC is working cooperatively with DEP and NOAA to resolve this case jointly. EPC conducted a damage assessment and evaluation of appropriate restoration and currently several mitigation projects in both Hillsborough and Polk counties are being reviewed and considered as possible settlement options. A settlement discussion was held November 28, 2000. Mulberry is analyzing the proposed projects and will propose their plan by February 1, 2000. (RT)

Stasiak v. EPC [LSTA98-163]: Mortgage holder attempted foreclosure of EPC's interest in certain real property held by virtue of a recorded settlement agreement against the property owner U.S.H. & B. EPC consented to foreclosure as long as our rights to proceeds were protected. U.S.H.&B. filed Chapter 11 Bankruptcy. A plan providing for appropriate resolution has been filed with the Court but various creditors have filed a challenge. EPC staff have been called for depositions between the parties and for testimony before the court. The property is currently in compliance with all regulations and a Consent Order is pending to close the case. (RT)

672 Recovery, Inc. [LREC97-155]: EPC provided authority in March 1999 to compel compliance with EPC rules requiring a Director's Authorization for operation of a wood waste processing facility. 672 Recovery, Inc. recently sold the operation and no longer operates the facility. The current owner is operating the facility in compliance with a permit issued by DEP. EPC is still seeking to recover penalties and costs from 672 Recovery, Inc. and staff is reviewing the file to determine the proper amounts. On October 13, 2000 a Settlement Letter was sent to the property owner regarding reimbursement of EPC's administrative costs and penalties. EPC is awaiting a response. (AZ)

FDOT & Cone Constructors, Inc. [LCONB99-007]: (*See related case under Administrative Cases*) Authority granted in March 1999 to take appropriate legal action to enforce the agency's nuisance prohibition and Noise Rule violated during the construction of the Suncoast Parkway. On September 14, 2000, Mr. Cone signed a Settlement Letter to resolve this case. In addition to prohibiting Mr. Cone from conducting night time operation of heavy duty rock hauling, the Settlement Letter provided for payment of \$1,074.00 as reimbursement for costs and expenses associated with the investigation and resolution of this matter. To date, Mr. Cone has not paid the agreed upon amount. Options for collection of the agreed upon amount are being investigated. (KKB)

Quasem J. v. EPC, et al. [LQAS98-161]: In foreclosing a mortgage on a UST facility, Plaintiff named EPC as a Defendant because of our recorded judgment against the former owner/operator, a relative of the current Plaintiff (*EPC case against Emad Qasem*). EPC has asserted the priority of our judgment lien. Defendant, property owner HJEM, Inc., filed a motion for summary judgment asserting the Plaintiff's mortgage was entered into fraudulently and that it has priority over all lien holders. EPC responded by asserting the priority of its judgment over the

Defendant, HJEM, Inc.'s ownership of the property as the property was sold to HJEM, Inc. subject to EPC's judgment. Hearing on the summary judgment was postponed pending an amended motion for summary judgment. Discovery is ongoing. (AZ)

Georgia Maynard [LMAYZ99-003]: Authority to take appropriate action against Ms. Maynard as owner and operator of an underground storage tank facility was granted August 1999. A prior Consent Order required certain actions be taken to bring the facility into compliance including the proper closure of out-of-compliance tank systems. The requirements of the agreement have not been met. Respondent has asserted willingness to comply but financial inability. Complaint is being drafted. A pre-litigation letter was sent to Respondent advising of pending action. An attorney representing Ms. Maynard responded by suggesting the matter could be resolved without litigation. The attorney has since provided EPC staff with several estimates for the work in anticipation of settling the matter. (AZ)

Tampa Scrap Processors, Inc. [LTPA98-157]: Authority granted in August of 1998 to proceed against all responsible parties for violations relating to the management of solid waste, used oil and hazardous waste and to compel a site assessment and a report of the findings. A meeting with the property owner before suit was filed produced a Consent Order signed October 19, 1998. Tampa Scrap failed to comply with the terms of the Consent Order. The Tampa Port Authority is willing to perform the requirements of the settlement. EPC filed suit against Tampa Scrap to protect our rights to legal enforcement of the specific terms of the Consent Order. Tampa Export, a presumed successor entity to Tampa Scrap, has filed for bankruptcy protection. EPC staff will be witnesses in the hearing on Tampa Port Authority's motion to evict Tampa Export and obtain correction. (RT)

Integrated Health Services [LIHSF00-005]: IHS, a Delaware corporation, filed for bankruptcy and noticed EPC as a potential creditor. IHS is a holding company that acquired a local nursing home, which operation includes a domestic wastewater treatment plant that is not in compliance. The Debtor filed a motion requesting that utility companies be required to continue service to the Debtors so that their residents can continue without relocation. (RT)

Manhattan Oil, William Chiles [LMAN00-006]: EPC's Citation for violation of the abandoned underground storage tank regulations was appealed and then settled in a negotiated Consent Order. However, the conditions of the Consent Order have not been implemented and the site remains out of compliance. The Commission granted authority on June 15, 2000 to commence appropriate legal action. A pre-litigation letter has been sent and a Complaint is being drafted. The owner resides in Massachusetts and the EPC is preparing to serve the complaint out of state. The property owner has obtained bids for removal of the underground storage tanks and resolving all non-compliance issues. (AZ)

Larry G. Mathis (Shady Shores MHP) [LSHAZ00-012]: EPC requested and received authority to file a lawsuit against the Defendant for multiple violations regarding the unpermitted operation of a wastewater treatment plant at the Shady Shores Mobile Home Park. The owner has been operating the plant since April without the necessary state delegated wastewater permit. The lawsuit was served on the defendant on September 11, 2000. The Defendant had twenty days in which to respond. The parties have resolved most technical issues regarding the violations. The Defendant's deadline to respond to the lawsuit was October 27, 2000. The Defendant's answer to the EPC complaint was received on October 30, 2000. The parties are still in negotiations for settling the matter without a trial. (AZ)

Bodden Asphalt Products, Inc. and Rupert Bodden [LBODZ00-013]: Authority to take appropriate action against Mr. Bodden as owner and operator of an asphalt shingle recycling facility that is a potential source of air pollution was granted, August 17, 2000. Mr. Bodden entered into a Consent Order with the EPC last year and is in default of payments agreed to in the consent order. In addition, Mr. Bodden has operated the air pollution source without a required EPC permit. The parties are currently in negotiations for resolving past violations and obtaining the proper permits for continued operation of the facility. Mr. Bodden has provided payment for the penalties and has submitted his application for a permit on October 13, 2000. (AZ)

RESOLVED CASES [0]

COMMISSION

PAT FRANK
CHRIS HART
JIM NORMAN
JAN PLATT
THOMAS SCOTT
RONDA STORMS
BEN WACKSMAN



ADMINISTRATIVE OFFICES, LEGAL &
WATER MANAGEMENT DIVISION
1900 - 9TH AVENUE
TAMPA, FLORIDA 33605
TELEPHONE (813) 272-5960
FAX (813) 272-5157

AIR MANAGEMENT DIVISION
TELEPHONE (813) 272-5530

WASTE MANAGEMENT DIVISION
TELEPHONE (813) 272-5788

WETLANDS MANAGEMENT DIVISION
TELEPHONE (813) 272-7104

EXECUTIVE DIRECTOR

RICHARD D. GARRITY, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
POLLUTION RECOVERY TRUST FUND
AS OF NOVEMBER 01, 2000

Fund Balance as of 10/01/00	\$1,124,926
Interest Accrued FY01	6,590
Deposits FY01	16,239
Disbursements FY01	9,359

Fund Balance \$1,138,396

Encumbrances Against Fund Balance:

(57a) Cypress Head Swamp	8,967
(14) Wetland Surveys	1,781
Seagrass Study/Sheriff	27,500
Art. Reef FY010	58,368
(53) Clayton Lake	6,007
(54) Mosi Restoration	963
(56) Oakview Utilities	74,925
(55) Riverview Civic Center	39,525
(61) Thalasssea Study	13,245
(63) McKay Bay	15,000
(64) Hughes Hard Chrome	3,373
(66) Asbestos Abatement	5,000
(72) Brooker Creek	1,266
(75) Adopt A Pond	50,000
(78) River Crest Restoration	15,000
(79) Epps Park Restoration	10,000
(68) Lutz Nature Park	2,082
(73) Balm Road Scrub	300,000
(81) Tampa Baywatch	12,870
Waste Reduction/Tampa	98,657
Upper Tampa Bay Trail	77,300
Charlie Walker Cons. Cen.	5,000
Cockroach Bay Turtle	59,920

Total of Encumbrances 883,376

Minimum Balance 100,000

Fund Balance Available November 1, 2000 \$155,020

COMMISSION

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EXECUTIVE DIRECTOR

RICHARD D. GARRITY, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
ANALYSIS OF GARDINIER SETTLEMENT TRUST FUND
AS OF NOVEMBER 01, 2000

Fund Balance as of 10/01/00	\$1,644,985
Interest Accrued FY01	8,835
Disbursements FY01	81,821
 Fund Balance	 \$1,571,999

Encumbrances Against Fund Balance:

Alafia River, Add. (SWIM/DEP)	8,948
Cockroach Bay Exotic Con. (HCC)	8,618
Alafia River/Wolf Branch	219,589
Ballast Point Seawall Phase II	25,000
Audubon Society Riverview CC	50,000
Oakview Utilities	50,000
Port Redwing	300,000
Davis Tract	175,851
Apollo Beachhabitat Restoration	100,000
Fantasy Island Restoration	50,000
Mechanical Seagrass Planting	50,000

Total of Encumbrances	\$1,038,006
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Fund Balance Available November 1, 2000	\$ 533,993
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EPC STAFF WHITE PAPER

Note: An EPC staff White Paper, such as this one, is prepared to give EPC upper management the staff's point of view on a given technical topic.

Date: November 7, 2000
From: Chuck Heintz and Gordon Leslie
Question: Is there a standard approach to sinkhole stabilization?

After some brief discussion, we agreed that a survey of some appropriate agencies and organizations via e-mail was the best and most time-efficient way of finding out if there are standardized engineering methods to stabilize sinkholes. We both agreed that, being professional geologists, we do not have the geotechnical engineering education or credentials to make a professional statement ourselves on this matter.

We have polled nine organizations that we believed could provide us with useful information and, to date, responses have been received from four of them (see Attachment): 1. the University of Florida (UF) Civil Engineering Department, 2. the Florida Geological Survey (FGS), 3. the University of Central Florida (UCF) Civil and Environmental Engineering Department, and 4. the Southwest Florida Water Management District (SWFWMD). We will continue to monitor the five non-responding organizations in an attempt to obtain better coverage of the issue. Those organizations we are awaiting response from are: Florida State University's Department of Civil Engineering, the University of South Florida's Department of Civil Engineering, the Florida Board of Professional Engineers, the Florida Engineering Society, and the Florida Department of Insurance.

The four responses that we have received so far are summarized as follows:

Dr. Frank Townsend of the University of Florida Civil Engineering Department stated that their department does not have any standard method to stabilize sinkholes. However, he went on to state that grouting is most commonly used. Note: Grouting is a process whereby a cement material is injected into a sinkhole feature to fill a void, thereby attempting to prevent further collapse.

Mr. Frank Rupert of the Florida Geological Survey (FGS) stated that his agency does not know of any standard repair methods, either. Since people with a geotechnical engineering background typically handle these matters, this response from a non-engineering organization, such as the FGS, is to be expected. Mr. Rupert went on to state that the FGS is not aware of any codes covering sinkhole stabilization. He stated that the repair methods that the FGS has witnessed have been designed on a case-by-case basis.

Dr. Shiou-san Kuo of the University of Central Florida Civil and Environmental Engineering Department stated that their department does "not have any standardized method for the (sic) sinkhole stabilization."

Mr. Tony Gilboy of the Southwest Florida Water Management District (SWFWMD) said that his organization does not have any codes for sinkhole stabilization. Mr. Gilboy also said that the SWFWMD might get involved with remediating sinkholes when they develop in stormwater ponds that are regulated by the SWFWMD. He went on to say that he does not remember seeing any standards for sinkhole stabilization in the Year 2000 version of the American Society for Testing Materials (ASTM) guidelines. Mr. Gilboy concluded by saying that, due to the variability of sinkhole formation, remediation methods are used on a case-by-case basis.

In conclusion, these four responses are expected to be representative of those from the other organizations that we polled, but have not yet heard from. Based on our informal poll, it appears that the geotechnical engineer brought in for the project will use professional judgement to determine the most appropriate sinkhole stabilization method on a case-by-case basis.

EPC STAFF RECOMMENDATION:

Consistent with the findings of our survey, EPC technical staff recommends that decisions regarding sinkhole plugging continue to be made by qualified geotechnical engineers on a case-by-case basis.

Attachment: Responses that we have received to Date

Univ. of Florida

Gordon Leslie

From: Chuck Heintz <heintz@epcjanus.epchc.org>
To: Richard D. Garrity <garrityr@epcjanus.epchc.org>; Gordon Leslie <leslie@epcjanus.epchc.org>
Sent: Wednesday, September 27, 2000 1:28 PM
Subject: Fw: FW: Standardized Engineering Methods for Sinkhole Stabilization

Rick and Gordon:

This is the first response to EPC staff's poll.

Chuck Heintz

-----Original Message-----

From: Dr. Frank Townsend <ftown@ce.ufl.edu>
To: heintz@epcjanus.epchc.org <heintz@epcjanus.epchc.org>
Date: Wednesday, September 27, 2000 8:18 AM
Subject: Re: FW: Standardized Engineering Methods for Sinkhole Stabilization

From: "Marc Hoit" <mhoit@ce.ufl.edu>
To: "Geotech" <geotech@ce.ufl.edu>
Subject: FW: Standardized Engineering Methods for Sinkhole Stabilization
Date sent: Tue, 26 Sep 2000 21:46:22 -0400

response

HI Chuck
The UF CE department to the best of my knowledge does not have any standard remediation method. However, I do know that grouting is most commonly used.
FCT

Faculty - Please respond
Marc

-----Original Message-----

From: Chuck Heintz [mailto:heintz@epcjanus.epchc.org]
Sent: Tuesday, September 26, 2000 4:24 PM
To: webmaster@ce.ufl.edu
Cc: Richard D. Garrity; Hooshang Boostani; Michael McKelvey; Paul A. Schipfer; Gordon Leslie
Subject: Standardized Engineering Methods for Sinkhole Stabilization

Per the request of management, Environmental Protection Commission (EPC) of Hillsborough County staff is querying various agencies, institutions, and organizations concerning the engineering methods for sinkhole stabilization. Does the University of Florida (UF) Civil Engineering Department recognize any standardized engineering methods for stabilizing sinkholes?

Any information that your department can provide regarding this question is greatly appreciated. Thank you.

FGS

Gordon Leslie

From: Chuck Heintz <heintz@epcjanus.epchc.org>
To: Richard D. Garrity <garrityr@epcjanus.epchc.org>; Gordon Leslie <leslie@epcjanus.epchc.org>
Sent: Wednesday, September 27, 2000 1:33 PM
Subject: Fw: Standardized Engineering Methods for Sinkhole Stabilization -reply

Rick and Gordon:

This is the second response to EPC staff's poll.

Chuck Heintz

-----Original Message-----

From: Frank Rupert TAL 850/488-9380 <Frank.Rupert@dep.state.fl.us>
To: Chuck Heintz <heintz@epcjanus.epchc.org>
Date: Wednesday, September 27, 2000 9:12 AM
Subject: Re: Standardized Engineering Methods for Sinkhole Stabilization -reply

>Mr. Heintz:

>

- > The FGS typically does not get involved at all with sinkhole repair.
- > We have on occasion suggested repair methods to individuals who have small
- > sinkholes on their properties, and these suggestions are based on observing
- > what simple solutions have worked in the past for other people with similar
- > size holes. Our interest in sinkholes is primarily geological in nature.
- > Currently the bulk of our work on the subject involves maintaining and
- > updating
- > the statewide sinkhole database which we inherited from the Florida
- > Sinkhole
- > Research Institute after it lost its funding. We don't have the staff to
- > do
- > much more than that.
- > Regarding standardized methods for repair, an engineering firm who has
- > actually performed sinkhole repair work, or possibly insurance companies
- > that
- > have solicited such repair, might be better able to advise you on any
- > existing
- > standards. As I am sure you've discovered, there is at least one firm on
- > the
- > internet advertising their concrete pumping services for repairing
- > sinkholes.
- > We personally do not know of any standard repair methods as such, nor any
- > state
- > codes covering sinkhole stabilization. Repair methods that we have
- > witnessed
- > have been designed on a case by case basis.
- > Good luck with your project. If we can be of further assistance to
- > you, please feel free to call on us.

>

>Frank Rupert
 >Florida Geological Survey
 >903 West Tennessee Street
 >Tallahassee, FL 32304

response

UCF

Gordon Leslie

From: Chuck Heintz <heintz@epcjanus.epchc.org>
To: Gordon Leslie <leslie@epcjanus.epchc.org>
Sent: Monday, October 02, 2000 4:53 PM
Subject: Fw: Standardized Engineering Methods for SinkholeStabilization

Gordon:

This is the third response to our poll. I'll add it to our draft memo.

Chuck

-----Original Message-----

From: Shiou-san Kuo <kuo@mail.ucf.edu>
To: heintz@epcjanus.epchc.org <heintz@epcjanus.epchc.org>
Date: Friday, September 29, 2000 11:55 AM
Subject: Re: Standardized Engineering Methods for SinkholeStabilization

>>> "Chuck Heintz" <heintz@epcjanus.epchc.org> 09/27/00 07:47 AM >>>
Dr. Chopra and Dr. Kuo:

Per the request of management, Environmental Protection Commission (EPC) of Hillsborough County staff is querying various agencies, institutions, and organizations concerning the engineering methods for sinkhole stabilization. Does the University of Central Florida (UCF) Civil and Environmental Engineering Department recognize any standardized engineering methods for stabilizing sinkholes?

Any information that your department can provide regarding this question is greatly appreciated. Thank you.

Chuck Heintz

Chuck:
Sorry we at the University do not have any standardized method for the sinkhole stabilization.

Dr. Kuo, Professor

response

SWFWMD

Gordon Leslie

From: Chuck Heintz <heintz@epcjanus.epchc.org>
To: Gordon Leslie <leslie@epcjanus.epchc.org>
Sent: Tuesday, October 03, 2000 10:21 AM
Subject: Engineering Sinkhole Stabilization: Response from the SWFWMD

Gordon:

Tony Gilboy of the Southwest Florida Water Management District (SWFWMD) Technical Services Section (SUNCOM # 628-4150 ext. 4305) returned my telephone message. He stated that the SWFWMD does not have any codes for sinkhole stabilization. He said, however, that, under the SWFWMD's surface water permitting program, that the SWFWMD may require the remediation of sinkholes when they develop or have the potential to develop in stormwater retention ponds. He said that he is not aware of any legislative statute directing governments to investigate or remediate sinkholes. He said that he does not recall seeing any standards for sinkhole stabilization in copies of the Year 2000 version of the ASTM guidelines. Mr. Gilboy stated that, due to the variability of sinkhole formation, different sinkhole remediation methods are used on a case-by-case basis.

I'll add this information to our draft memo.

Chuck

COMMISSION

PAT FRANK
CHRIS HART
JIM NORMAN
JAN PLATT
THOMAS SCOTT
RONDA STORMS
BEN WACKSMAN

EXECUTIVE DIRECTOR

RICHARD D. GARRITY, Ph.D.



ADMINISTRATIVE OFFICES, LEGAL &
WATER MANAGEMENT DIVISION
1900 - 9TH AVENUE
TAMPA, FLORIDA 33605
TELEPHONE (813) 272-5960
FAX (813) 272-5157

AIR MANAGEMENT DIVISION
TELEPHONE (813) 272-5530


WASTE MANAGEMENT DIVISION
TELEPHONE (813) 272-5788

WETLANDS MANAGEMENT DIVISION
TELEPHONE (813) 272-7104

MEMORANDUM

Date: November 16, 2000

To: EPC Board

From: Rick Garrity 

Subject: Environmental Defense Fund Pollution Scorecards

During the citizens comments section of the last EPC meeting, one of the speakers asked about the subject scorecard (attached). This scorecard is from the Environmental Defense Fund web site and is based on information available from EPA. The scorecard represents an annual snapshot of emissions, and does not reflect improvements from year to year.

EPC staff reviews the annual inventories this information is based on, as does EPA, to determine if EPA's rulemaking is achieving reductions, or to highlight areas where additional rulemaking might be required.

In reviewing the attached scorecard, all of the facilities emissions are below permitted thresholds, and do not appear to violate any standards. However, EPC staff can not verify the VOC emissions cited for the number one ranked facility, the Southeast Landfill, with any of EPA's databases. The number appears to be from an EPA landfill emissions model, utilizing "average" emissions parameters. However, during the course of the Southeast Landfill's recent Title V permitting, they were required to test actual emissions from the landfill. Because ash from the Hillsborough County Resource Recovery and McKay Bay Refuse-to-Energy facilities are the primary constituents of the waste at the Southeast Landfill, the VOC emissions from the landfill were considerably below average. In fact the Southeast Landfill's 1999 VOC emissions, based on the above testing, were reported as 6.87 tons.

Be assured we will continue to work with the EPA on refining these databases and keep you advised as necessary. Thanks for your interest.

WPC x Oct 23

From: "John R. Mohme" <jrmohme@gte.net>
To: <Wagner911@cs.com>; <tribletters@tampatrib.com>; "Susan Morris" <Susan_Morris@bausch.com>; "Stu Loeblich" <MoookieStinks@aol.com>; <steve.jones@verizon.com>; "Rob Lorei" <Rlorei@WMNF.org>; "PHD. Richard Garrity" <Garrityr@hillsboroughcounty.org>; <PFrank2345@aol.com>; <patti2345@aol.com>; "MURMAN.SANDRA" <MURMAN.SANDRA@leg.state.fl.us>; <MCGARV@prodigy.net>; "marilyn smith" <aquilla@e-machines.net>; <letters@weeklyplanet.com>; <letters@SPTimes.com>; "LAIR.RALPH" <LAIR.RALPH@leg.state.fl.us>; "Judy Williams" <wthing@gte.net>; "Joyce A. Smith" <jasmith@tampabay.rr.com>; "J.B. Canterberry" <canterj@breedtech.com>; <FGodfrog@aol.com>; <ESflorida@msn.com>; <eoltown@gte.net>; <DORANB36@aol.com>; "delong" <support@tampabayguardian.com>; <BobPamABFL@aol.com>; <binghamm@hillsboroughcounty.org>; <barkeyS@hillsboroughcounty.org>; <Barbmerr@aol.com>; <BakerK@hillsboroughcounty.org>; <APLsauce@aol.com>; <amanteiga@lagacetanewspaper.com>; <alafia@worldnet.att.net>; <agarms@tampabay.rr.com>
Sent: Wednesday, October 18, 2000 3:45 PM
Subject: TECO & "The Partnership" - they've got to be proud



POLLUTION LOCATOR | Scorecard Community Center

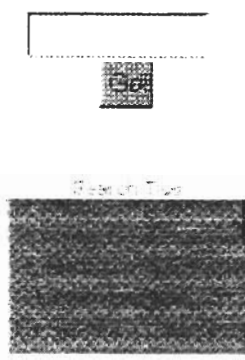


- Home
- Find Your Community
- What's New
- Setting Priorities
- Pollution Locator
- Pollution Rankings
- About the Chemicals
- Health Effects
- Regulatory Controls
- Discussion Forums
- FAQs
- Personalize Scorecard
- Glossary
- About the Scorecard
- Search Scorecard

Your Zip Code: **33569**
 Your Community: **HILLSBOROUGH County**

Who Is Polluting Your Community?
 Facilities with Emissions of Criteria Air Pollutants in 1996
 Volatile Organic Compound emissions

Rank	Facility	City	Tons
1	SOUTHEAST LANDFILL	TAMPA	670
2	BIG BEND		180
3	REYNOLDS METALS TAMPA CAN PLA	TAMPA	170
4	SHELL OIL CO	TAMPA	130
5	GULF COAST RECYCLING, INC.	TAMPA	120
6	TAMPA SHIPYARD(MAIN)	TAMPA	110
7	<u>ALUMAX EXTRUSIONS</u>	PLANT CITY	100
8	<u>F J GANNON</u>		97
9	<u>MASTER PACKAGING INC</u>	TAMPA	92
10	<u>AMOCO OIL</u>	TAMPA	87
11	<u>BALL PACKAGING PRODUCTS GROUP</u>	TAMPA	82
12	<u>DART CONTAINER CORPORATION OF FLORIDA</u>	PLANT CITY	60
13	<u>MARATHON OIL COMPANY</u>	TAMPA	57
14	<u>CITGO PETROLEUM CORP</u> <i>CITGO Petroleum Corp</i>	TAMPA	57



14	<u>SATURN INTERNATIONAL</u>	TAMPA	27
15	<u>TAMPA SHIPYARD, INC.</u>	TAMPA	56
16	<u>COL. MET., INC.</u>	TAMPA	53
17	<u>CITGO PETROLEUM CORPORATION</u>	TAMPA	50
18	<u>B.P. OIL</u>	TAMPA	45
19	<u>SPEEDLING, INC.</u>	SUN CITY	44
20	<u>GATX TERMINALS CORP</u>	TAMPA	43
21	<u>CITY OF TAMPA</u>	TAMPA	29
22	<u>AMERADA HESS CORPORATION</u>	TAMPA	29
23	<u>GENMAR INDUSTRIES, INC</u>	TAMPA	29
24	<u>GULF MARINE REPAIR</u>	TAMPA	28
25	<u>LOUIS DREYFUS ENERGY CORPORATION</u>	TAMPA	27

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 Reportin: earth@environmentaldefense.org

AGENDA ITEM COVERSHEET

Date: December 19, 2000

Agenda Item: Contract Extension – Tampa Baywatch, Inc.
Oil Boom Prepositioning Project
Cockroach Bay Aquatic Preserve

Description/Summary:

In August 1999, Tampa Baywatch, Inc. received funding from the Hillsborough County Pollution Recovery Fund and the Middle District Restitution Fund for an Oil Boom Prepositioning Project to protect the Cockroach Bay Aquatic Preserve in the event of a hazardous spill in Tampa Bay. Total cost of the project was estimated to be \$100,000.00. \$50,000.00 was awarded from the Pollution Recovery Fund for the purchase of the necessary equipment and the oil boom itself. \$25,000.00 was awarded from the Middle District Restitution Fund for the development and implementation of a volunteer training program. Each of those contracts has expired.

During the first year of the proposed two-year project, the State of Florida donated 5,000 feet of the necessary 6,400 feet of oil containment boom needed. As a result, \$26,806.00 remained unspent from the authorized \$50,000.00 in the Pollution Recovery Fund contract. The proposed contract will extend the project, beginning December 1, 2000, for 18 months in order to complete development and implementation of a comprehensive volunteer training program incorporating U.S. Coast Guard, OSHA and FDEP information and regulations pertaining to oil and chemical spills. Additional safety and operational equipment will also be purchased to augment existing supplies.

The contract will be limited to the remaining unspent \$26,806.00 from the original contract or until June 1, 2002, whichever occurs first.

Commission Action Recommended:

Consider and approve the proposed contract extension.

Commission Action Taken:

**SECOND AGREEMENT between
The ENVIRONMENTAL PROTECTION COMMISSION of Hillsborough County
and
TAMPA BAYWATCH, INC.**

THIS AGREEMENT, made and entered into this ____ day of _____, 2000, by and between the **ENVIRONMENTAL PROTECTION COMMISSION** of Hillsborough County (EPC), a governmental agency established by Chapter 84-446, Laws of Florida, and Tampa Baywatch, Inc. (**Tampa Baywatch**).

WITNESSETH

WHEREAS, Tampa Baywatch submitted an application for funding from the Hillsborough County Pollution Recovery Fund, a proposal entitled " Oil Boom Prepositioning Project for the Cockroach Bay Aquatic Preserve",

WHEREAS, a previous agreement was entered into between the parties on August 2, 1999 authorizing the expenditure of up to \$50,000.00 from the Hillsborough County Pollution Recovery Fund "to acquire and maintain necessary equipment and develop and implement a training program to preposition oil booms along the Tampa Bay shoreline in the Cockroach Bay Aquatic Preserve",

WHEREAS, the previous agreement expired on July 1, 2000 with a balance of \$26,806.00 of authorized funds remaining unspent due to a donation of 5,000 feet of oil boom equipment from the State of Florida during the course of the original agreement,

WHEREAS, the parties agree that it is an appropriate and worthy expenditure of public funds to continue the original program for a period of eighteen (18) months and expend the remaining previously authorized funds for the purchase of additional safety and operational equipment and to implement a volunteer training program as originally proposed in the project application;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. This Agreement authorizes the expenditure of the balance of the previously authorized funds in the amount of \$26,806.00 for the continuation of the "Oil Boom Prepositioning Project for the Cockroach Bay Aquatic Preserve".
2. The Agreement is effective retroactive to December 1, 2000 and continues until all authorized moneys are expended or until June 1, 2002, whichever occurs first.
3. Tampa Baywatch shall use reasonable efforts and provide the necessary resources to conduct the work described, including the conditions herein and as listed in Attachment 1 "Scope of Work".

4. Tampa Baywatch shall submit quarterly progress reports to the designated EPC Technical Contact. Each report shall include request, bid and contract documentation, invoices, etc., as well as outline the work performed during the reporting period, work scheduled for the next report period, expenditures to date, problems encountered and planned solutions, and any schedule updates.

5. Upon receipt by the EPC Administrative contact of an appropriate invoice and supporting documentation from Tampa Baywatch, EPC shall process and reimburse Tampa Baywatch for its costs and expenses for all obligations pursuant to this Agreement, up to a total of \$26,806.00. If EPC has any questions or needs additional information to ensure that the reimbursement is appropriate under this Agreement, Tampa Baywatch shall arrange to provide the additional information as needed.

6. Tampa Baywatch shall maintain appropriate records of all services rendered pursuant to this Agreement, including costs and expenditures sufficient for any pre and post audit that may be required. All documents will be maintained subject to the public records law.

7. Tampa Baywatch agrees that no change in key personnel or significant decrease in the level of participation of key personnel may occur without notice and approval of EPC. Key personnel are:

- (a) Project Director: Captain Peter A. Clark, 8401 Ninth St. North, #230B, St. Petersburg, Florida, 33702
- (b) EPC Technical Contact: Eric Lesnett, 1900 9th Avenue, Tampa Florida 33605, (813) 272-5960, FAX (813) 272-5157
- (c) EPC Administrative Contact: Tom Koulianos, 1900 9th Avenue, Tampa Florida 33605, (813) 272-5960, FAX (813) 272-5157

8. By this Agreement the parties intend to establish the relationship of independent contractor. Each party and the officers, employees, agents, and thereof shall not be deemed by virtue of the Agreement to be the officers, agents, contractors or employees of the other party. Each party assumes the risk of all liability arising from its respective activities pursuant to this Agreement and from the acts or omissions of its respective officers, agents and employees.

9. (a) This Agreement may be canceled by either party without prior notice for refusal by the other to allow public access to all documents, papers, letters or other material subject to the provisions of Chapter 119 F.S. and made or received in conjunction with the Agreement.

(b) This Agreement may be canceled by either party upon no less than 30 days notice, upon cause; notice shall be delivered by certified mail, return receipt requested, or in person with proof of delivery.

(c) In case of a cancellation, all unobligated funds as of the date of notice shall be returned to EPC for deposit in the Pollution Recovery Fund; and all documents, records, work accomplished, equipment and other items prepared, purchased, or acquired pursuant to this agreement and in the possession of Tampa Baywatch shall be immediately forwarded and turned over to EPC.

(d) This Agreement may be continued or amended in writing by the parties.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed the day and year first above written.

ENVIRONMENTAL PROTECTION COMMISSION
of Hillsborough County

By: _____
Rhonda Storms, Chair

TAMPA BAYWATCH, INC.

By: *Peter A. Clark*
Peter A. Clark, Director

AFFIDAVIT

I, the undersigned Peter A. Clark, Director, and doing business at 8401 9th Street, North, Suite 230B, St. Petersburg, FL 33702, being first sworn, do affirm that I am duly authorized under the articles of incorporation and by-laws of Tampa Baywatch, Inc. to bind Contractor by my signature to this Agreement and that it is my signature which first appears above on behalf of Contractor.

Affiant's signature *Peter A. Clark*

Affiant's printed name Peter H. Clark

State of Florida

County of Pinellas

Before me this 30th day of November, 2000, appeared Peter A. Clark, who is personally known to me or who produced _____ as identification and who acknowledged to me under oath to be the person who signed the foregoing Affidavit.

NOTARY PUBLIC:

signature *Lisa Perry Hull*

print Lisa Perry Hull
My Commission Expires:



(Attachment 1, 4 pages)

Hillsborough County Pollution Recovery Fund Oil Boom Prepositioning Project for the Cockroach Bay Aquatic Preserve – Extension Request

SCOPE OF WORK

Introduction

Tampa BayWatch, Inc. has developed a program to provide rapid deployment of oil booms along the shoreline and passes of the Cockroach Bay Aquatic Preserve using trained community volunteers. The volunteers will stage and install equipment prior to the onset of oil or other hazardous material spill that could seriously affect the environmentally sensitive Aquatic Preserve. In order to accomplish the project tasks, a core of dedicated volunteers will need to be trained and the necessary equipment purchased. Tampa BayWatch is seeking an 18-month contract extension to allow the use of unspent equipment purchase funds from year 1 to support volunteer training activities.

Background

The Cockroach Bay Aquatic Preserve (CBAP) is one of the least impacted and most pristine estuarine systems in Tampa Bay. Mangroves, seagrass meadows, salt marsh, salterns, oyster bars, drift algae, live bottoms and tidal flats are all important natural communities found throughout the Cockroach Bay Aquatic Preserve. In addition, the location of the CBAP with respect to surrounding communities and cities, make it extremely important for recreation and aesthetic values. The area is also in close proximity to two major bay ports and is located less than one nautical mile from the main shipping channel leading into the Port of Tampa. This close proximity, along with the more than eighteen passes directly entering the Preserve, and the large amount of product (more than forty million gallons per day) traversing the channels, greatly increase the risk for spilled contaminants such as oil and other petroleum products to cause irreparable harm to the area.

Once oil enters an area especially marsh, mangroves, and seagrass habitats, it is nearly impossible to remove. The recommended procedure is to block and deflect the spilled material preventing its entrance into an area. The Oil Boom Prepositioning Project for the Cockroach Bay Aquatic Preserve is intended to do just this. The Cockroach Bay Aquatic Preserve Oil Boom Prepositioning Project is a line of defense designed to deflect spilled substances and to a lesser degree divert spilled substances from the area. It is a first line of defense to protect the sensitive natural resources of the Preserve and a secondary line of defense to prevent oil from entering the Preserve that could potentially get past deflection booming set up by the USCG through the Area Contingency Plan.

Project Plan

During Year 1, the Oil Boom Prepositioning Program for the Cockroach Bay Aquatic Preserve has purchased all of the necessary materials to accomplish the project including boom, anchors, trailers, supplies, and health and safety equipment. A volunteer training program has been started to provide a core group of dedicated community volunteers ready to respond at a moment's notice of a spill threatening the

Cockroach Bay Aquatic Preserve. In Year 2, Tampa BayWatch will conduct and oversee the training program and all other aspects of managing the program. Additional details regarding achievable tasks and progress goals for accomplishing the Oil Boom Prepositioning Project for the Cockroach Bay Aquatic Preserve are as follows:

Task 1: Tampa BayWatch, Inc. will complete development of a comprehensive training program incorporating current U.S. Coast Guard, Occupational Safety and Health Administration and Florida Department of Environmental Protection information and regulations pertaining to oil and chemical spills. Volunteers will be offered this training three times over the next 18 months, in accordance with the Project document. The training program will address specific concerns related to oil spills on Tampa Bay and will include:

- Effects of spilled oil in the estuarine and coastal environment.
- Health and safety issues related to oil spill response by volunteers.
- Incident Command System and Cockroach Bay Response Plan.
- Proper and Safe handling of boats and oil boom in the Cockroach Bay area.

In addition, First Aid and CPR training will be provided to the volunteers. This training will meet current standards of the American Red Cross and/or National Safety Council and be provided twice yearly by a certified instructor.

Task 2: Tampa BayWatch Inc. will produce a training manual for the volunteers, and print and distribute it to all volunteers during their training. This manual will meet all current federal, state, and local regulations and will be designed to be updated regularly.

Task 3: Additional safety and operational equipment will be purchased as needed to replace equipment worn out, or to augment supplies.

Task 4: Tampa BayWatch will continue to facilitate the Oversight Committee meetings, at least quarterly. The committee will serve to review field and training experiences, and funnel suggestions from agencies and outside groups to the Project staff.

Task 5: Tampa BayWatch will continue to solicit community involvement by speaking to community groups, informing local news media, maintaining current project information on the Tampa BayWatch web site, and developing new outreach avenues.

Cockroach Bay Oil Boom Prepositioning Program Volunteer Training Session

Section 1: Hazards of Oil Spills and Exposure

1. Environmental Impacts
 - a. Tampa Bay Sensitive Habitats and Species
 - b. Protection Priorities
 - c. Spilled Oil Decomposition
2. Hazard Assessment
3. Volunteer Roles and Fitness
 - a. Duties and Functions
 - i. Boat Captains
 - ii. Boat Support Volunteers
 - iii. Round the Clock Volunteers
 - iv. Shore Support Volunteers
 - b. Use of Personal Protective Equipment
 - c. Physical Hazards
 - i. Oil Exposure
 - ii. Heat Stress/Cold Stress
4. Cockroach Bay Response Plan
 - a. Communications Networks
 - b. Required Boat Gear
 - c. What do you do when you get the call?

Section 2: Oil Boom Handling & Deployment

1. Deploying Oil Boom
 - a. Getting Boom to the Boat Ramp
 - b. Deploying from Trailer to Water
2. Towing Oil Boom
 - a. Demonstration
 - b. Practical Exercise
3. Securing Oil Boom
 - a. Fixed Mooring
 - b. Shoreline Mooring
 - c. Mid-Channel Anchoring
 - d. Practical Exercise
4. Repacking Boom and Equipment
5. Start To Finish Drill
6. Wrap-Up, Questions, and Information Verification

Project Budget

**Hillsborough County Pollution Recovery Fund
Oil Boom Prepositioning Project for the Cockroach Bay Aquatic Preserve**

Budget Category	Program Funding Cost Year 2
----------------------------	--

1. Program Management and Volunteer Training

program director (200 hrs. @ \$ 35/hr.)	\$7,000
project manager (586 hrs. @ \$ 25/hr.)	14,650
Hazardous Materials Training (3 @ \$500)	1,500

2. Travel

vehicle (1,000 miles @ .32/mile)	320
vessel (5 trips @ \$50 per trip)	250

3. Supplies

volunteer training materials	430
field equipment (floodlights, duct tape, boat signs towing bridles, etc.)	2,000
Consumable supplies (Gatorade, Personal Protective Equipment)	1,000

TOTAL: \$26,750

AGENDA ITEM COVER SHEET

Date: November 8, 2000

Agenda Item: Request from Commissioner Platt

Description/Summary:

Ask Chair to request additional Marine Patrol Officers from the Governor.

Commission Action Recommended:

Authorize letter from Chair

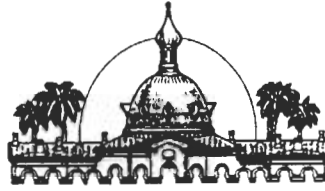
Commission Action Taken:

BOARD OF COUNTY COMMISSIONERS

Chairman
Pat Frank, District 7

Vice Chairman
Chris Hart, District 5

Ben Wacksman, District 1
Jim Norman, District 2
Thomas Scott, District 3
Ronda Storms, District 4
Jan K. Platt, District 6



Hillsborough County
Florida

REC'D

NOV 08 2000

ENV. PROT. COMM
OF H.C.

P.O. Box 1110
Tampa, Florida 33601
(813) 272-5660

Daniel A. Kleman
County Administrator

REC'D
NOV 08 2000

MEMORANDUM

TO: Dr. Rick Garrity, Executive Director/EPC

FROM: Jan Platt, Commissioner *JP*

RE: November 16 Agenda

DATE: November 6, 2000

Please place on the November 16th EPC agenda a request that the Chair send a letter to Governor Jeb Bush asking that additional Marine Patrol Officers be assigned to monitor activities on Tampa Bay. The Policy Board of the Tampa Bay Estuary Program has sent a similar letter. As you recall, when the Board of County Commissioners enacted the Manatee Protection Zone for the Apollo Beach area, Bill Studer, Director of the Department of Public Safety, expressed a need for additional marine enforcement officers.

AGENDA ITEM COVER SHEET

Date: EPCHC Meeting 16 November 2000

Agenda Item: Exotic and Nuisance Plant Control

Description/Summary:

At the 19 October 2000 EPCHC meeting Commissioner Rhonda Storms questioned whether or not the EPCHC had an exotic and/or nuisance plant species control strategy and, if not, should a strategy be developed. In summary, the EPCHC does not have an exotic and/or nuisance plant species control program or strategy, nor does such a comprehensive program exist within the County's other authorities or departments.

Attached for your information in the backup package is a summary of existing County control efforts; a preliminary "strawman" exotic and/or nuisance plant species control program for Hillsborough County; a listing of the exotic, nuisance, and invasive plant species that are of special concern in Hillsborough County; and an assessment of invasive plant control programs at the state level.

Commission Action Recommended:

For informational purposes only; no action required at this time.

This agenda item is EPCHC staff's response to Commissioner Ronda Storms' inquiry about whether or not the EPCHC has an exotic, invasive, nuisance control strategy and, if not, does the EPCHC want to consider implementing such a control program.

DEFINITIONS

Allelopathy: A competition reducing effect, in which a chemical 'toxin' is produced by a plant and disseminated into the immediate surrounding area in order to prevent or inhibit competing plant growth.

Category I: As defined by the EPPC, "Species that are invading and disrupting native plant communities in Florida. This definition does not rely on the economic severity or geographic range of the problem, but on the documented ecological damage caused."

Category II: As defined by the EPPC, "Species that have shown a potential to disrupt native plant communities. These species may become ranked as Category I, but have not yet demonstrated disruption of natural Florida communities."

Exotic: Typically, plants considered to be brought by man to the State during or after the first initial settlement of Florida by Europeans in the 1500s.

Invasive: Ability of a plant specie to outcompete and/or disrupt existing vegetative assemblages.

Nuisance: A source of inconvenience. Usually applied to a plant that has characteristics that inhibit or preclude a desired use, service, or benefit of an area.

What is the exotic plant problem?

- Invasive exotic pest plants are biological pollutants that are believed to wipe out more natural habitat every year than development according to the Florida Exotic Pest Plant Council (FLEPPC).

So how do they achieve this?

- Large numbers of problematic species - Hillsborough County has 46 Category I, and 60 Category II species documented within the county borders (see Attachment '1')
- Lack of natural predators in their new surroundings
- Weedy characteristics - opportunistic of anthropogenic disturbances, extensive seed production, long term seed viability, 'resourceful' asexual propagation strategies, allelopathic properties, low major and minor element demands, rapid growth.
- Resistant to 'mild' herbicides

What is the outcome?

- A decrease in natural biodiversity, since the invasive exotic outcompetes native flora
- The natural integrity of native plant communities is compromised, both in composition and function
- Loss of habitat for listed animal species with the exotics displacing the required native plant species

- Exotics also have socioeconomic impacts such as: increased wildfire intensity and frequency in punktree forests (*Melaleuca quinquenervia*); the compounding of hayfever problems - punktree (*Melaleuca quinquenervia*) and Brazilian pepper (*Schinus terebithifolius*); waterway blockage of stormwater runoff and recreational access - water hyacinth (*Eichhornia crassipes*), hydrilla (*Hydrilla verticillatum*).

Currently, a specific County department or agency tasked with holistic exotic plant control does not exist. However, the following is a non-comprehensive list of some County programs that encourage or provide exotic plant removal:

Environmental Protection Commission

Funds available through the Pollution Recovery Fund Program, Chapter 1-9, Rules of the EPCHC. Free permit application process for removal of invasive plant species. EPC staff offers ecologically sound maintenance and control advice, as well as plant identification expertise.

Planning and Growth Management Department

Allowance within the Land Development Code for a reduced wetland setback/buffer upon staff approval of a exotic plant species removal/management plan. A management plan (that includes nuisance control) is required for all preserved significant wildlife habitat.

Public Works Department

The Adopt-A-Pond Program provides assistance and desirable plant material for qualifying stormwater ponds overrun with nuisance plants. The program requires a contract for surrounding homeowner participation.

Environmental Lands Acquisition Protection Program

A portion of ELAPP funding is dedicated to land management, including exotic species removal.

Mosquito Control

As part of mosquito control operations, water hyacinth and water lettuce (*Pistia stratiotes*) are controlled.

Should more be done at the County level?

Although the incidence of exotic species has been documented in Hillsborough County, the extent of those species has not. It has been staff's observation that most areas within the County support some level of nuisance species invasion, on both private and public lands. As such, it would require extensive cooperation with private property owners. The following strawman is used as an example of how a control program may be developed.

DEVELOPMENT OF AN EXOTIC PLANT CONTROL PROGRAM

Determine sources of initial funding availability for Phase I

Phase I

Gain public support for the program

Identify all exotic, nuisance species within the area of desired control (Hillsborough County)

Identify the areal extent of each exotic, nuisance specie using existing information and field surveys (due to manpower limits this would probably be a best 'guesstimate')

Determine the most effective control measures for each of the targeted species: biological, chemical, mechanical, habitat manipulation, etc.

Determine which species could be eliminated with the most "bang-for-the-buck". Common sense would dictate that it is not necessary to eliminate a cold-sensitive specie if the area just experienced several warm winters that allowed an expansion of its range and density.

Partner with existing County programs. Avoid duplication by proper coordination and cooperation among the differing operations.

Partner with surrounding counties. Control cannot be achieved internally when external seed sources (Pasco, Pinellas, Polk, Manatee) still exist.

Partner with the state. The Florida Department of Environmental Protection (FDEP) was designated as the lead agency for exotic nuisance control by the State Legislature (see Attachment '2').

Allow for several small scale 'test' projects and determine success. If successful proceed to Phase II.

Determine sources of funding for Phase II

Phase II

Hiring of initial staff to manage the program

Purchase necessary materials and equipment

Fine tune the management program

Proceed with full scale 'assault'

Phase III

Management phase – reduce staffing, materials and equipment to optimize maintenance of reduced or eliminated target species.

How much is this all going to cost?

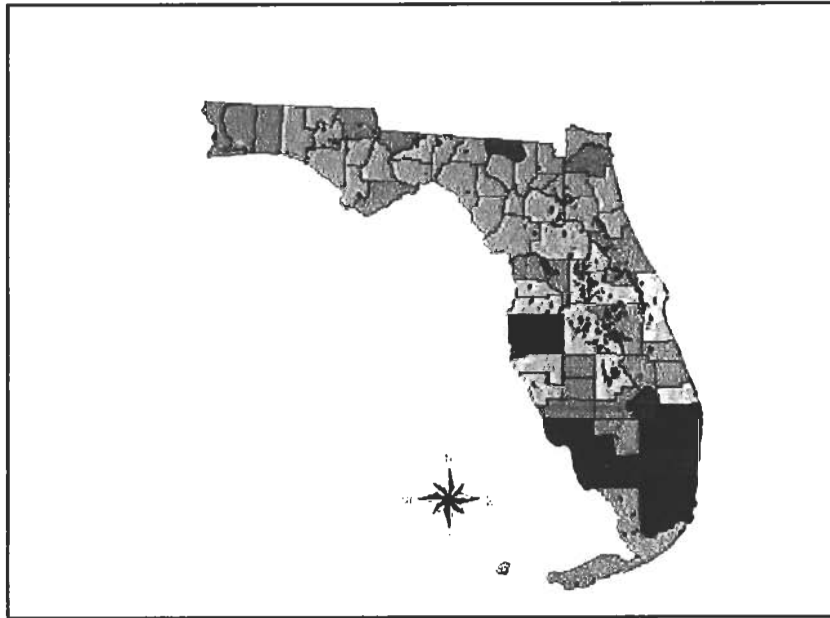
Currently, statewide the state programs spent 91 million dollars on exotic plant and animal control and only a few species have been significantly been reduced (see Attachment '3'). In order to achieve a significant reduction in problematic species in Hillsborough County it will require comparably significant expenditures for a period of years.

Is there another way?

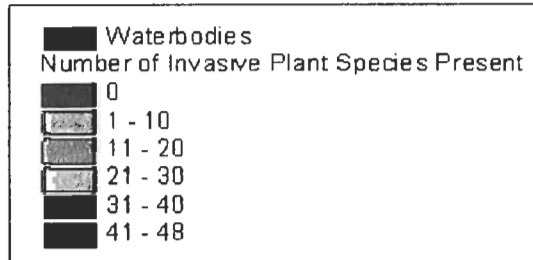
Perhaps, with the realization of this problem at the national level, several companies are now offering large scale nuisance control services to both the private and public sector (see Attachment '4').

Section 1

Number of FLEPPC Category 1 Invasive Plant Species by County



[Click here to enter the database to research individual category 1 invasive plants.](#)



EXOTIC PEST PLANT COUNCIL CATEGORY I EXOTIC PEST PLANT LIST

Scientific Name	Common Name	FLEPPC Rank	EPC Rank	Government Listed
<i>Abrus precatorius</i>	rosary pea	I		
<i>Acacia auriculiformis</i>	earleaf acacia	I		
<i>Albizia julibrissin</i>	mimosa, silk tree	I		
<i>Albizia lebbek</i>	woman's tongue	I		
<i>Ardisia crenata (A. crenulata)</i>	coral ardisia	I	I	
<i>Ardisia elliptica (A. humilis)</i>	shoebutton ardisia	I		
<i>Asparagus densiflorus</i>	asparagus-fem	I		
<i>Bauhinia variegata</i>	orchid tree	I		
<i>Bischofia javanica</i>	bischofia	I		
<i>Calophyllum antillanum (C. calaba; C. inophyllum, often misapplied in cultivation)</i>	santa maria (names "mast wood," "Alexandrian laurel" used in cultivation)	I		
<i>Casuarina equisetifolia</i>	Australian pine	I	I	P
<i>Casuarina glauca</i>	suckering Australian pine	I	I	P
<i>Cestrum diurnum</i>	day jessamine	I		
<i>Cinnamomum camphora</i>	camphor-tree	I		
<i>Colocasia esculenta</i>	wild taro	I	I	
<i>Colubrina asiatica</i>	lather leaf	I		
<i>Cupaniopsis anacardioides</i>	carrotwood	I		N
<i>Dioscorea alata</i>	winged yam	I		N
<i>Dioscorea bulbifera</i>	air-potato	I	I	N
<i>Eichhornia crassipes</i>	water-hyacinth	I	I	P
<i>Eugenia uniflora</i>	Surinam cherry	I		
<i>Ficus microcarpa (F. nitida and F. retusa var. nitida)</i>	laurel fig	I		
<i>Hydrilla verticillata</i>	hydrilla	I	I	P, N
<i>Hygrophila polysperma</i>	green hygro	I	I	P, N

EXOTIC PEST PLANT COUNCIL CATEGORY I EXOTIC PEST PLANT LIST

Scientific Name	Common Name	FLEPPC Rank	EPC Rank	Government Listed
<i>Hymenachne amplexicaulis</i>	West Indian marsh grass	I		
<i>Imperata cylindrica (Imperata brasiliensis misapplied)</i>	cogon grass	I	I	N
<i>Ipomoea aquatica</i>	waterspinach	I	I	P, N
<i>Jasminum dichotomum</i>	Gold Coast jasmine	I		
<i>Jasminum fluminense</i>	Brazilian jasmine	I		
<i>Lantana camara</i>	lantana, shrub verbena	I	I	
<i>Ligustrum sinense</i>	Chinese privet, hedge privet	I		
<i>Lonicera japonica</i>	Japanese honeysuckle	I	I	
<i>Lygodium japonicum</i>	Japanese climbing fern	I	I	N
<i>Lygodium microphyllum</i>	Old World climbing fern	I		N
<i>Macfadyena unguis-cati</i>	cat's claw vine	I		
<i>Melaleuca quinquenervia</i>	melaleuca, paper bark	I	I	P, N
<i>Melia azedarach</i>	Chinaberry	I		
<i>Mimosa pigra</i>	catclaw mimosa	I		P, N
<i>Nandina domestica</i>	nandina, heavenly bamboo	I		
<i>Nephrolepis cordifolia</i>	sword fern	I	I	
<i>Nephrolepis multiflora</i>	Asian sword fern	I	I	
<i>Neyraudia reynaudiana</i>	Burma reed; cane grass	I		N
<i>Paederia cruddasiana</i>	sewer vine, onion vine	I		N
<i>Paederia foetida</i>	skunk vine	I	I	N
<i>Panicum repens</i>	torpedo grass	I	I	
<i>Pennisetum purpureum</i>	Napier grass	I	I	
<i>Pistia stratiotes</i>	water lettuce	I	I	P
<i>Psidium cattleianum (P. littorale)</i>	strawberry guava	I		
<i>Psidium guajava</i>	guava	I	I	

EXOTIC PEST PLANT COUNCIL CATEGORY I EXOTIC PEST PLANT LIST

Scientific Name	Common Name	FLEPPC Rank	EPC Rank	Government Listed
<i>Pueraria montana (P. lobata)</i>	kudzu	I		N
<i>Rhodomyrtus tomentosa</i>	downy rose-myrtle	I	I	N
<i>Rhoeo spathacea (R. discolor; Tradescantia spathacea)</i>	oyster plant	I		
<i>Sapium sebiferum</i>	popcom tree, Chinese tallow tree	I	I	N
<i>Scaevola sericea (Scaevola taccada var. sericea, S. frutescens)</i>	scaevola, half-flower, beach naupaka	I		
<i>Schefflera actinophylla (Brassaia actinophylla)</i>	schefflera, Queensland umbrella tree	I		
<i>Schinus terebinthifolius</i>	Brazilian pepper	I	I	P, N
<i>Senna pendula (Cassia coluteoides)</i>	climbing cassia, Christmas cassia, Christmas senna	I		
<i>Solanum tampicense (S. houstonii)</i>	wetland night shade, aquatic soda apple	I		N
<i>Solanum torvum</i>	susumber, turkey berry	I		N
<i>Solanum viarum</i>	tropical soda apple	I	I	N
<i>Syzygium cumini</i>	jambolan, Java plum	I		
<i>Tectaria incisa</i>	incised halberd fern	I		
<i>Thespesia populnea</i>	seaside mahoe	I		
<i>Tradescantia fluminensis</i>	white-flowered wandering jew	I		
<i>Urochloa mutica (Brachiaria mutica)</i>	Pará grass	I	I	

Keys

I = designation for the most invasive of non-native plant species.

P = Prohibited by the Florida Department of Environmental Protection

N = Noxious weed as listed by the Florida Department of Agriculture and Consumer Services and/or the United States Department of Agriculture

FLEPPC = Florida Exotic Pest Plant Council

EPC = Environmental Protection Commission

Shaded cells identify a plant specie found in Hillsborough County, Fl.

Note: 46 FLEPPC Category I plants are found in Hillsborough County, Fl., of which 17 species are well established and are thought to be disrupting native plant communities by the Environmental Protection Commission staff.

EXOTIC PEST PLANT COUNCIL'S CATEGORY II EXOTIC PEST PLANT LIST

Scientific Name	Common Name	FLEPPC Rank	EPC Rank	Government Listed
<i>Adenanthera pavonina</i>	red sandalwood	II		
<i>Agave sisalana</i>	sisal hemp	II		
<i>Aleurites fordii</i>	tung oil tree	II		
<i>Alstonia macrophylla</i>	devil-tree	II		
<i>Alternanthera philoxeroides</i>	alligator weed	II	I	P
<i>Anredera leptostachya</i>	Madeira vine	II		
<i>Antigonon leptopus</i>	coral vine	II	I	
<i>Aristolochia littoralis</i>	calico flower	II		
<i>Asystasia gangetica</i>	Ganges primrose	II		
<i>Begonia cucullata</i>	begonia	II		
<i>Broussonetia papyrifera</i>	paper mulberry	II	I	
<i>Callisia fragrans</i>	inch plant, spironema	II		
<i>Casuarina cunninghamiana</i>	Australian pine	II		P
<i>Cereus undatus</i> (= <i>Hylocereus undatus</i>)	night-blooming cereus	II		
<i>Clerodendrum bungei</i>	strong-scented glorybower	II	I	
<i>Cryptostegia madagascariensis</i>	rubber vine	II		
<i>Cyperus alternifolius</i> (=C. <i>involucratus</i>)	umbrella plant	II		
<i>Cyperus prolifer</i>	dwarf papyrus	II		
<i>Dalbergia sissoo</i>	Indian rosewood, sissoo	II		
<i>Eleagnus pungens</i>	thorny eleagnus	II		
<i>Enterolobium contortisilquum</i>	ear-pod tree	II		
<i>Epipremnum pinnatum</i> cv. <i>Aureum</i>	pothos	II		
<i>Ficus altissima</i>	false banyan	II		
<i>Flacourtia indica</i>	governor's plum	II		
<i>Flueggea virosa</i>	Chinese waterberry	II		
<i>Hibiscus tiliaceus</i>	mahoe, sea hibiscus	II		
<i>Hiptage benghalensis</i>	hiptage	II		
<i>Jasminum sambac</i>	Arabian jasmine	II		
<i>Koelreuteria elegans</i>	golden rain tree	II		
<i>Leucaena leucocephala</i>	lead tree	II	I	
<i>Ligustrum lucidum</i>	glossy privet	II		
<i>Livistona chinensis</i>	Chinese fan palm	II		
<i>Melinis minutiflora</i>	molasses grass	II		
<i>Merremia tuberosa</i>	wood-rose	II		
<i>Murraya paniculata</i>	orange-jessamine	II		
<i>Myriophyllum spicatum</i>	Eurasian water-milfoil	II		P
<i>Ochrosia parviflora</i> (=O. <i>elliptica</i>)	kopsia	II		
<i>Oeceoclades maculata</i>	ground orchid	II		
<i>Passiflora biflora</i>	twin-flowered passion vine	II		

EXOTIC PEST PLANT COUNCIL'S CATEGORY II EXOTIC PEST PLANT LIST

Scientific Name	Common Name	FLEPPC Rank	EPC Rank	Government Listed
<i>Passiflora foetida</i>	stinking passion-flower	II		
<i>Phoenix reclinata</i>	Senegal date palm	II		
<i>Phyllostachys aurea</i>	golden bamboo	II		
<i>Pteris vittata</i>	Chinese brake	II		
<i>Ptychosperma elegans</i>	solitary palm	II		
<i>Rhynchelytrum repens</i>	Natal grass	II		
<i>Ricinus communis</i>	castor bean	II		
<i>Ruellia brittoniana</i> (=R. <i>tweediana</i>)	Mexican petunia	II	I	
<i>Sansevieria hyacinthoides</i> (=S. <i>trifasciata</i>)	bowstring hemp	II		
<i>Sesbania punicea</i>	purple sesban, rattlebox	II		
<i>Solanum diphyllum</i>	twinleaf nightshade	II		
<i>Solanum jamaicense</i>	Jamiaca nightshade	II		
<i>Syngonium podophyllum</i>	arrowhead vine	II		
<i>Syzygium jambos</i>	rose-apple	II		
<i>Terminalia catappa</i>	tropical almond	II		
<i>Tribulus cistoides</i>	puncture vine, burnut	II		
<i>Triphasia trifoliata</i>	lime berry	II		
<i>Urena lobata</i>	Caesar's weed	II	I	
<i>Wedelia trilobata</i>	wedelia	II	I	
<i>Wisteria sinensis</i>	Chinese wisteria	II		
<i>Xanthosoma sagittifolium</i>	malanga, elephant ear	II		

I = designation for the most invasive of non-native plant species.

P = Prohibited by the Florida Department of Environmental Protection

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FLEPPC = Florida Exotic Pest Plant Council

EPC = Environmental Protection Commission

Shaded cells identify a plant species is found in Hillsborough County, Fl.

Note: 60 FLEPPC Category II plants are found in Hillsborough County, Fl., of which 8 species are well established and are thought to be disrupting native plant communities by the Environmental Protection Commission staff.

Section 2



State Lands



Appraisal	CARL	Environmental Services
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Land Acquisition	Modernization Project	Permitting
Public Land Administration	State Lands	Survey & Mapping

Why do you need a lead agency approach to manage invasive plants in Florida?

The Department of Environmental Protection (then the Department of Natural Resources) was designated by the Florida Legislature in 1971 as the lead agency for aquatic plant control because of the agency's broad range of environmental preservation and conservation goals.

The department created the Bureau of Aquatic Plant Management (now Bureau of Invasive Plant Management) to coordinate the aquatic plant management activities of more than 200 government agencies and commercial companies in Florida. This lead agency approach has proven effective for various reasons:

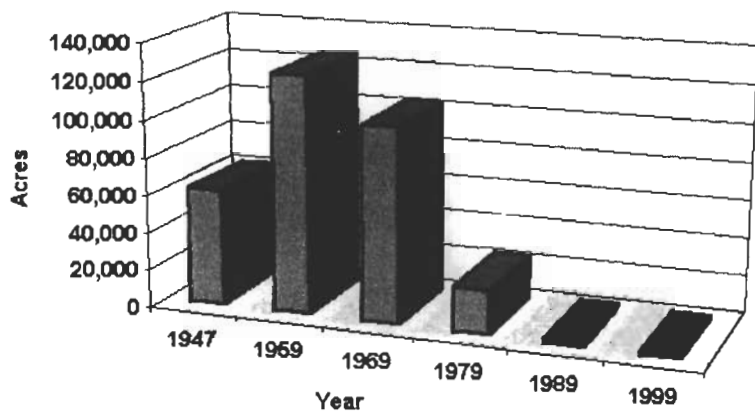
- establishes a statewide management and resource protection plan,
- ensures statewide priority distribution of available funds,
- reduces administration; one agency distributes funds to areas of greatest need,
- coordinates management operations with water managers and users,
- avoids duplication as well as neglect,
- ensures consistency in policy, goals, administration, and control methods.

Example

Water hyacinth was uncontrolled in some waters, or in other instances, managed by many agencies with differing or narrowly focused goals. There was no statewide management plan, funding was inconsistent, and plant populations were out of control as recently as the 1970s. Water hyacinth has been reduced from 125,000 acres to about 2,000 acres

since the program was established at the DEP.

**Acres of Water Hyacinth in Florida's Public Waters
1947 - 1999**



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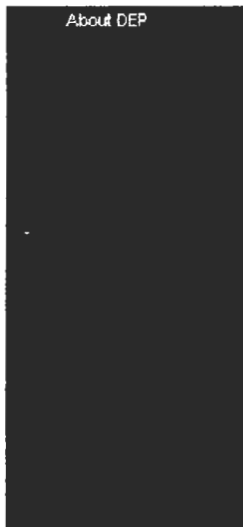
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WEED ALERTS!

About the Bureau...

Florida is particularly prone to biological invasions because of widespread disturbance of native habitats, its semi-tropical climate, its great expanse of waterways, and peninsular Florida's "island-like habitat" (bounded on three sides by water and the fourth by frost).

Approximately 1.7 million acres of Florida's remaining natural areas have been invaded by exotic plant species. These exotic plant invasions degrade and diminish what remains of Florida's natural areas. The Bureau of Invasive Plant Management is the lead agency in Florida responsible for coordinating and funding two statewide programs controlling invasive aquatic and upland plants on public conservation lands and waterways throughout the state.

Bureau Sections...

- [Aquatic Plant Management](#)
- [Field Operations](#)
- [Upland Plant Management](#)

- [Plant Identification photos](#)
- [Publications](#)
- [Invasive Species Links](#)
- [Frequently Asked Questions](#)
- [Technical Species Profiles](#)
- [Funds Spent on Invasive Species in Florida \(FY 1999-2000\)](#)
- [Links to on-line invasive plant management information](#)



management program is one of the oldest invasive species removal programs with its beginnings dating back to the early 1900s. With the addition of the upland program, the bureau oversees the largest invasive plant management program of its kind in the United States.

Invasive Plant Management History

Invasive Plant Introduction History

Report Non-native Pest Plants in Florida

Prohibited Aquatic Plant List

Mission Statement...

The Bureau of Invasive Plant Management serves to protect Florida's Native Bio- diversity by:

- Leading the Management of Invasive Plants on Public Lands;
- Maintaining recreational, economic and ecological values of Florida's Public Lands;
- Providing education and information to the public;
- Developing and maintaining inventories of plant communities on public lands;
- Collecting information to assist science based decision making.



Free Download

** If you rather view the pdfs without downloading Adobe Acrobat Reader, click on the link

Water hyacinth
Beautiful but destructive!



Brazilian pepper
More than a million acres invaded in Florida

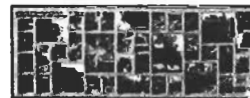
Conferences and Meetings

New Invasions in Florida



A Coloring Book on Wetland and Invasive Plants of the Southeast

IFAS Assessment of Non-Native Plants in Florida's Natural Areas questionnaire (PDF 190 K, requires Acrobat Reader)



New! Photo-mural invasive non-native plants in southeast and Florida



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Upland Plant Management

Upland Invasive Plant Management

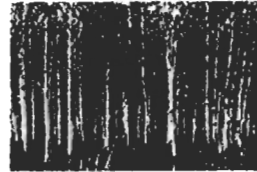
A program under Florida Statute (F.S. 369.252) has been established within the Department of Environmental Protection (DEP) to address the need for a statewide coordinated approach to the upland invasive exotic plant problem. The newly created Upland Invasive Plant Management Funding Program, incorporates ecosystem management concepts involving "place-based management", bringing together regionally diverse interests to develop flexible, innovative strategies to address local upland exotic plant management issues.

Upland Invasive Plant Management Funding Program

The Upland Plant Management Section funds individual exotic plant removal projects on public conservation lands throughout the state (Statutes). Projects are considered based on recommendations from Regional Invasive Plant Working Groups.

The bureau has established a statewide network of eleven Regional Invasive Plant Working Groups comprised of federal, state, and local government public conservation land managers and non-governmental organizations throughout the state to have an active role in selecting projects for upland invasive plant management at a local level.

The bureau has also established service contracts with regional invasive plant control contractors with



Melaleuca stand in wetland



Melaleuca seedlings, East Everglades



Australian pine's leaf litter destroying a native coastal plant community



Invasive Plant Regional Contractors



Map and addresses of Regional Invasive Plant Working Groups

Regional Invasive Plant Working Group pages:

[Mosquito Coast Exotic Plant Working Group](#)

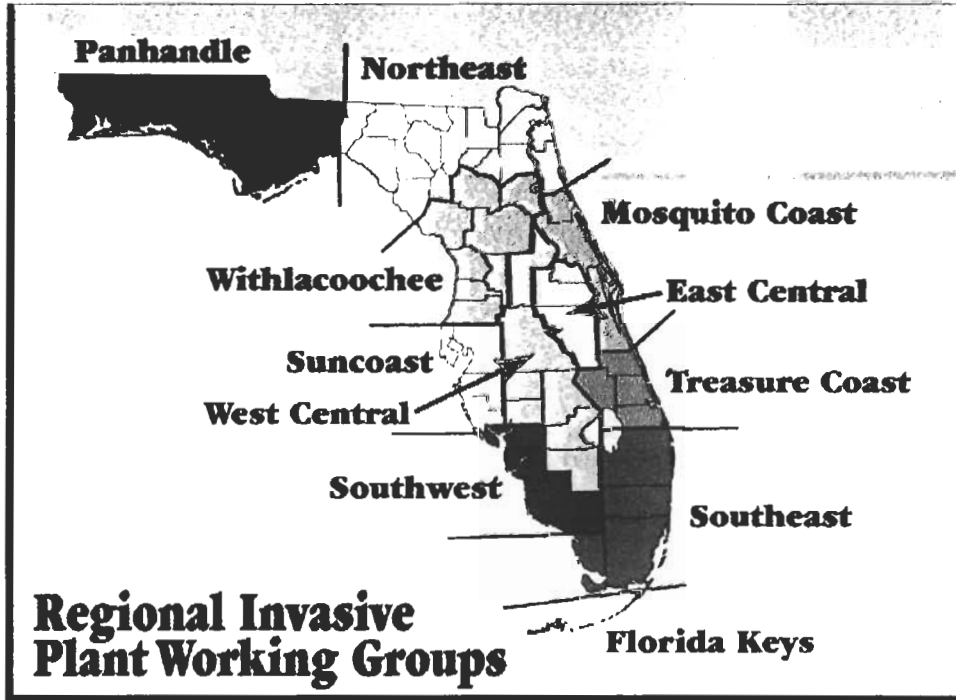


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Regional Invasive Plant Working Groups



LIAISON LIST

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Aquatic, Wetland, and Upland Invasive Plant Links

Federal and interagency efforts:

Aquatic Nuisance Species Task Force
 Federal Interagency Committee for the Management of Noxious and Exotic Weeds
 Federal Noxious Weed Act
 Federal Noxious Weed List
 Florida Caribbean Science Center
 National Invasive Species Council
 Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990
 USDA APHIS Plant Protection and Quarantine
 USACE Aquatic Plant Control Operations Support Center

Other Florida State Agencies Managing Invasive Species:

Florida Department of Agriculture and Consumer Services
 Florida Fish & Wildlife Conservation Commission
 Northwest Florida Water Management District
 South Florida Water Management District
 Southwest Florida Water Management District
 Suwannee River Water Management District
 St. Johns River Water Management District

Ecology, Management and Identification help:

Aquatic Ecosystem Restoration Foundation
 Aquatic Plant Control Research Program
 Aquatic Weed Management-North Carolina
 Archbold Biological Station
 Center for Aquatic and Invasive Plants
 Florida Natural Areas Inventory
 Hawaiian Alien Plant Studies
 National Biological Information Infrastructure
 South Carolina Aquatic Nuisance Species Program
 The Nature Conservancy Wildland Weeds Management & Research Program
 Washington State Department of Ecology

Other organizations:

[Aquatic Plant Management Society](#)
[Association of Florida Native Nurseries](#)
[California Exotic Pest Plant Council](#)
[Florida Exotic Pest Plant Council](#)
[Florida Native Plant Society](#)
[Georgia Exotic Pest Plant Council](#)
[North American Lake Management Society](#)
[Southeast Exotic Pest Plant Council](#)
[Weed Science Society of America](#)
[Western Aquatic Plant Management Society](#)

Databases and specific scientific information:

[CalWeed Database](#)
[Center for Aquatic and Invasive Plants](#)
[Database on Introductions of Aquatic Species](#)
[Directory of Non-Native Marine Species in British Waters](#)
[Exotic Bees of North America](#)
[Exotic Forest Pests Information System](#)
[Florida Exotic Pest Plant Council](#)
[Group on Aquatic Alien Species](#)
[Harmful Nonindigenous Species in Hawaii](#)
[Hymenoptera On-Line](#)
[Invaders Database Project](#)
[National Agricultural Pest Information System](#)
[National Marine and Estuarine Invasions Database](#)
[Nonindigenous Aquatic Species Site](#)
[North American Nonindigenous Arthropod Database](#)
[Southwest Exotic Plant Mapping Program](#)
[The Plants Database](#)
[Weeds Gone Wild](#)
[World Weeds Database](#)
[World's 100 Worst Invasive Species](#)

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Section 3



State Lands



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Florida State Government Expenditures for Invasive Species (FY 1999-2000) (*Information Source: Executive Office of the Governor*)

<u>State Agency</u>	<u>Type of Invasive Species</u>	<u>Funds Spent</u>
DEP	Plants - Terrestrial & aquatic	\$19,300,000
FWCC (marine)	Fish and aquatic invertebrates	\$2,001,000
FWCC (freshwater)	Aquatic plants	\$100,000
NFWWMD	Plants - Terrestrial	\$13,320
SWFWMD	Plants - Terrestrial & aquatic; Mammals	\$396,882
SFWMD	Plants - Terrestrial & aquatic	\$8,844,392
SJRWMD	Plants - Terrestrial & crop; Aquatic plants; mammals	\$1,258,675
SRWMD	Plants - Terrestrial	\$25,500
DOT	Plants - Terrestrial	\$13,000,000
DACS	Animal/plant microorganisms & diseases; Plants - Terrestrial & crop; Terrestrial arthropods	\$45,896,911
Total Funds Spent		\$90,836,680

Agency Names:

DEP - Department of Environmental Protection
 FWCC - Fish and Wildlife Conservation Commission
 NFWWMD - Northwest Florida Water Management District
 SWFWMD - Southwest Florida Water Management District
 SFWMD - South Florida Water Management District

Section 4



"Effective control and management of invasive pest plants"

Our services are tailored to the unique needs of both large and small land-owners and land-managers.

Large

examples include:

- National Parks
- Municipal Parks
- Utility Companies
- Ranches
- Golf Courses

Services include:

- Removal and Maintenance
- Consulting Services
- Grant Writing

Small

examples include:

- Residential land-owners
- Small parks
- Other small land-owners

Services include:

- Removal and Maintenance

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AGENDA ITEM COVER SHEET

Date: EPC Meeting November 16, 2000

Agenda Item: Removal of 1600 trees in the City of Tampa

Description/Summary:

According to City of Tampa (COT) staff, the incident took place in 1997 within Parcel 20 of Tampa Palms, Area 4. Lennar Homes, Inc. was the developer, and Florida Technical Services provided the engineering. The developer proposed to remove 1600 trees (oaks and pines) and was advised, early on, that given the number of trees proposed for removal, a variance hearing before the City's Tree and Landscape Board of Review (Tree Board) would be required. COT staff indicated that the developer was in a hurry to meet deadlines critical to the development and, therefore, requested construction plan approval prior to the hearing before the Tree Board. The developer provided the City with written acknowledgement, stating that site clearing would not commence prior to the hearing. Upon that basis, construction plan approval was given.

Although the variance was never formally sought, site clearing and construction began and the trees were removed. The City realized their error a short time ago and is working with the developer to correct the mistake. Currently, the City is requiring replacement tree plantings. It is our understanding that Lennar Homes has agreed to plant more than 1600 trees and that the greater majority of those trees will be native species.

Commission Action Recommended:

For informational purposes only. No action is required. The EPC has no regulatory authority over this case, as it is upland based and involved no wetlands.

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

AGENDA ITEM COVER SHEET

DATE: November 7, 2000

TO: Environmental Protection Commissioners

FROM: Brenda Fonda, Enforcement Coordinator, Waste Management Division

SUBJECT: Request for Authority to Take Legal Action regarding Dip Mini Mart – Mr. Patel

RECOMMENDATION: Grant authority to pursue appropriate legal action

BACKGROUND:

Dip Mini Mart is located at 535 South Maydell Drive, Tampa. The property is owned by Mr. Jaymin B. Patel. The Property and Facility include Underground Storage Tank (UST's) systems. On this property are two UST's which are unmaintained and have not been properly closed. The UST's are both subject to Chapter 62-761, F.A.C. requirements to be upgraded, placed in "out of service" or properly closed in accordance with state law. Neither one of the two tanks have been retrofitted for future use, nor have they been properly closed. In addition, a Final Order issued October 18, 1999, required certain corrective actions. The order has not been complied with.

EPC has contracted with the Florida Department of Environmental Protection (DEP) to administer the UST program in Hillsborough County. EPC also has independent authority under its enabling act, Chapter 84-446, Laws of Florida as amended, and has adopted by reference in EPC Rules Chapter 1-12, the UST rules of the DEP.

Chapter 62-761, F.A.C. and Chapter 1-12, Rules of the Commission require that unmaintained or abandoned tanks be properly closed.

Mr. Patel has violated Chapter 1-12, Rules of the Commission, and Section 17 of the Hillsborough County Environmental Protection Act by improperly operating and failing to properly retrofit or close the Underground Storage Tank systems at this facility. Since Mr. Patel has not responded to EPC staff efforts to resolve this matter, staff recommends the initiation of appropriate legal action for enforcement.

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

AGENDA ITEM COVER SHEET

DATE: October 25, 2000
TO: Environmental Protection Commissioners
FROM: Teresa Berkulis, Enforcement Specialist I, Air Division
SUBJECT: Request for Authority to Take Legal Action regarding Yellow Rose Steakhouse and Saloon
RECOMMENDATION: Grant authority to pursue appropriate legal action
BACKGROUND: On March 11, May 20th and June 24, 2000, EPC staff conducted noise monitoring at the Yellow Rose Steakhouse & Saloon, Inc. in response to citizen complaints. The results revealed that the noise levels from the playing of amplified musical instruments at the establishment averaged 72, 79 and 76 dB respectively, on the 63 hertz low frequency octave band. Section 17 of the Act and Chapter 1-10.03(b) Rules of the Commission prohibit noise levels in excess of the 65 dB standard. The Yellow Rose Steakhouse & Saloon met with EPC staff on July 27, 2000 to discuss settlement. The Yellow Rose Steakhouse & Saloon has declined to negotiate a resolution with EPC staff and has indicated their intention to litigate this matter.
ACTION TAKEN BY THE COMMISSION <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Continued/Deferred Until _____ Other: _____
SPECIAL INSTRUCTIONS: _____
By: _____
MEETING DATE: _____ DIAGRAM (IF APPROPRIATE)