

COMMISSION
 Mariella Smith, *Chair*
 Pat Kemp, *Vice Chair*
 Harry Cohen
 Ken Hagan
 Gwendolyn “Gwen” W. Myers
 Kimberly Overman
 Stacy White



Executive Director
 Janet L. Dougherty

General Counsel
 Ricardo Muratti

Meeting time
 9:00 a.m.

COMMISSION AGENDA
January 27, 2022

Location
 Virtual meeting via communications
 media technology – details below

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

2. ROLL CALL

3. CHANGES TO THE AGENDA

4. REMOVAL OF CONSENT ITEM FOR QUESTION, COMMENT, or SEPARATE VOTE

5. RECOGNITIONS and PROCLAMATIONS

- Recognition of Ron Nichols, Air Division, upon his retirement with over 26 years of service.
- Proclamation declaring February 2, 2022 as World Wetlands Day in Hillsborough County.

6. PUBLIC COMMENT - *Each speaker is allowed 3 minutes unless the Commission directs differently. If you wish to provide public comment please submit the online [public comment form](#) at least one hour prior to the start of the meeting.*

7. APPROVAL OF CONSENT AGENDA

Consent Agenda Items

a. Approval of EPC Meeting Minutes – EPC Regular Meeting November 18, 2021 and EPC Special Meeting Dec. 8, 2021	2
b. Monthly Activity Report FY2022 (November and December).....	8
c. Pollution Recovery Fund Budget FY2022.....	11
d. Legal Case Notification	13
e. Action Plans Quarterly Update	15
f. Select Performance Measure Goals Quarterly Update.....	18

8. PUBLIC HEARING (*none*)

9. REGULAR AGENDA

a. Phosphate Mining and Reclamation Overview.....	20
b. Executive Director Annual Evaluation FY21	22
c. Executive Director’s Report	

10. DISCUSSION OF FUTURE AGENDA ITEMS

ADJOURN

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

This meeting will be available LIVE as follows: Spectrum - Channel 637, Frontier - Channel 22, Comcast - Channel 22, PC: <http://www.hcflgov.net/HTVlive>, and iOS: <http://65.49.32.149/iosvideo/ios.htm>



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item #7.a.

Date of EPC Meeting: January 27, 2022

Subject: Approval of the November 18, 2021, EPC meeting minutes and the December 8, 2021, EPC Special meeting minutes.

Agenda Section: Consent Agenda

Division: Administration Division

Recommendation: Approve the November 18, 2021, EPC meeting minutes and the December 8, 2021, EPC Special meeting minutes.

Brief Summary: Staff requests the Commission approve the meeting minutes from the Commission meeting held on November 18, 2021, and the Special Commission meeting held on December 8, 2021.

Financial Impact: No Financial Impact

List of Attachments: Draft copy of the November 18, 2021, EPC meeting minutes and December 8, 2021, EPC Special meeting minutes.

Background: None

NOVEMBER 18, 2021 - ENVIRONMENTAL PROTECTION COMMISSION

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting, scheduled for Thursday, November 18, 2021, at 9:00 a.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

The following members were present: Chair Mariella Smith and Commissioners Harry Cohen, Ken Hagan (via telephone), Pat Kemp (arrived 9:18 a.m.), Gwen Myers, Kimberly Overman, and Stacy White.

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

▶ Chair Smith called the meeting to order at 9:00 a.m. ▶ Commissioner White led in the pledge of allegiance to the flag and gave the invocation.

2. ROLL CALL

▶ The Deputy Clerk called the roll and noted a quorum was present.

3. CHANGES TO THE AGENDA

▶ Ms. Janet Dougherty, EPC Executive Director, stated there were no changes to the agenda.

4. REMOVAL OF CONSENT ITEM FOR QUESTION, COMMENT, OR SEPARATE VOTE -

▶ **None.**

5. RECOGNITIONS AND PROCLAMATIONS (NONE) - **Not addressed.**

6. PUBLIC COMMENT - ▶ **None.**

7. APPROVAL OF CONSENT AGENDA

Consent Agenda Items

- a. Approval of EPC Meeting Minutes - October 21, 2021
- b. Monthly Activity Report Fiscal Year (FY) 2022 (October 2021)
- c. Pollution Recovery Fund (PRF) Budget FY 2022
- d. Legal Case Notification

Chair Smith sought a motion. ▶ **Commissioner Cohen moved approval, seconded by Commissioner White.** Upon roll call vote, ▶ **the motion carried six to zero.** (Commissioner Kemp had not arrived.)

THURSDAY, NOVEMBER 18, 2021

8. PUBLIC HEARING

- a. Noise Rule Variance Request by Riverside Golf Course Community, L.L.C. in Ruskin

▶ EPC General Counsel Ricardo Muratti and ▶ Mr. Reginald Sanford, Director, EPC Air Management Division, who highlighted the item. ▶ Attorney Eric Bossardt and ▶ Mr. Jonathan Lee, applicant team; and ▶ Mr. Sanford provided presentations. ▶ Attorney Muratti reviewed EPC recommendations. Chair Smith called for public comment. Mr. Lee and ▶ Ms. Donna Jones spoke on the item. Citing community issues with the request, ▶ **Commissioner White moved that the EPC adopt the EPC staff recommendation, seconded by Commissioner Cohen.** Dialogue ensued. Upon roll call vote, ▶ **the motion carried seven to zero.**

9. REGULAR AGENDA

- a. Report on Adjacent County Gypsum Stacks

▶ Following remarks from Chair Smith, Ms. Dougherty deferred to ▶ Ms. Paula Noblitt, EPC, who delivered the report. ▶ Ms. Dougherty defined piezometers for public benefit. Ms. Noblitt continued the presentation. ▶ Expressing concern on the Piney Point injection process, Commissioner Overman questioned the procedure used to address the treated water. Talks occurred on water treatment processes/dischARGE environmental impacts. ▶ Commissioner Overman inquired if the EPC had a memorandum of understanding with the Florida Department of Environmental Protection to be notified of surrounding county compliance issues.

- b. Request the Commission Allocate PRF for Radon Study

▶ Ms. Dougherty introduced, ▶ Mr. Sanford, who supplied a presentation. ▶ **Commissioner White moved to approve the request, seconded by Commissioner Myers.** Upon roll call vote, ▶ **the motion carried six to zero.** (Commissioner Hagan was out of the room.)

- c. Executive Director's Report

▶ Subsequent to explaining the Piney Point incident, Ms. Dougherty delivered the report. Conversation followed.

THURSDAY, NOVEMBER 18, 2021

10. DISCUSSION OF FUTURE AGENDA ITEMS

▶ Citing manatee deaths, Commissioner Overman asked for a report on the efforts the EPC may need to consider on the impact of sea grasses in the lives of manatees, or find a way to partner with those entities that were developing the strategy for protecting the manatees or consider putting the manatees back on the endangered list. ▶ Commissioner White favored the EPC writing a letter supporting the manatee endangered species redesignation.

ADJOURN

▶ There being no further business, the meeting was adjourned at 10:26 a.m.

READ AND APPROVED: _____
CHAIR

ATTEST:
CINDY STUART, CLERK

By: _____
Deputy Clerk

ms

DRAFT

DECEMBER 8, 2021 - ENVIRONMENTAL PROTECTION COMMISSION

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Special Meeting, scheduled for Wednesday, December 8, 2021, at 1:30 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

The following members were present: Chair Mariella Smith (via telephone) and Commissioners Harry Cohen, Ken Hagan (via telephone), Pat Kemp, Gwen Myers, Kimberly Overman, and Stacy White (via telephone).

1. ROLL CALL

▶ Chair Smith called the meeting to order at 1:34 p.m. ▶ The Deputy Clerk called the roll and noted a quorum was present.

2. PUBLIC COMMENT - ▶ **None.**

3. SPECIAL AGENDA ITEMS

- a. Approve a Letter of Support of H.R. 4946, the Manatee Protection Act of 2021

▶ Following an item introduction, ▶ **Commissioner White moved to approve a letter of support for H.R. 4946, the Manatee Protection Act of 2021, seconded by Commissioner Overman.** Commissioner White emphasized the importance of the legislation. ▶ Ms. Janet Dougherty, EPC Executive Director, offered remarks. Upon roll call vote, ▶ **the motion carried seven to zero.**

- b. Issue a Letter Expressing Concerns Regarding Recent Proposals by the Florida Fish and Wildlife Conservation Commission (FWC) and FWC Executive Order 21-27 Related to Gopher Tortoises

▶ Subsequent to comments regarding the FWC waiving gopher tortoise relocation restrictions/holding time limitations and upon passing the gavel to Vice Chair Kemp, ▶ **Chair Smith moved to authorize the chair to send a letter on behalf of EPC expressing the EPC's concerns with Fish and Wildlife Executive Order 21-27, of November 18, 2021, and ask FWC not to extend those rule waivers or make the waivers permanent and echo the concerns of the Gopher Tortoise Council, the Center for Biological Diversity, and the concerns she had outlined here in her remarks, and express the EPC's willingness to work together on solutions including, hopefully, being able to provide some new recipient sites in the County, seconded by Commissioner Overman.** Commissioner Overman noted a lack of recipient sites in the County.

WEDNESDAY, DECEMBER 8, 2021

Vice Chair Kemp offered appreciative remarks. Chair Smith relayed the location of the FWC public hearing. Upon roll call vote, ► **the motion carried seven to zero.**

ADJOURN

► There being no further business, the meeting was adjourned at 1:56 p.m.

READ AND APPROVED: _____
CHAIR

ATTEST:
CINDY STUART, CLERK

By: _____
Deputy Clerk

ag

DRAFT



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 7.b.

Date of EPC Meeting: January 27, 2022

Subject: Agency Monthly Activity Report

Agenda Section: Consent Agenda

Division: All five EPC Divisions

Recommendation: None. Informational report.

Brief Summary: The Agency-wide report represents the total number of select divisional activities that were tracked within a specific month.

Financial Impact: No financial impact.

List of Attachments: Agency monthly report for November and December FY22

Background: Select data that is associated with the EPC's five core functions; outreach, monitoring, compliance and enforcement, is tracked monthly by each Division. These monthly activity reports are then tallied to generate one final Agency-wide report.

EPC STAFF ACTIVITIES - AGENCY-WIDE

Monthly Activity Report

FY22

		<u>November</u>	<u>December</u>	<u>FISCAL YEAR TO DATE</u>
A.	<u>Core Function: Citizen Support & Outreach</u>			
1	Environmental Complaints Received (see attached Divisional breakdown)			see attached
2	Number of Presentations/Outreach Events	2	0	6
3	Citizen Support (walk-ins, file reviews, email/letter correspondence, etc.)	283	328	918
B.	<u>Core Function: Air & Water Monitoring</u>			
1	Air Monitoring Data Completeness (Note: reflects previous month due to data acquisition delay)	96.7%	97.3%	N/A
2	Water Quality Monitoring Data Completeness (Note: reflects previous month due to data acquisition delay)	98.2%	93.7%	N/A
3	Number of Noise Monitoring Events	3	2	8
C.	<u>Core Function: Environmental Permitting</u>			
1	Permit/Authorization Applications Received	138	144	442
2	Applications In-house >180 days	0	0	N/A
3	Permits/Authorizations Issued	154	154	464
4	Petroleum Cleanup Cases	94	111	302
D.	<u>Core Function: Compliance Assurance</u>			
1	Compliance Inspections	337	245	858
2	Compliance Test Reviews (NOTE: Wetlands reviews included under D.1)	115	99	297
3	Compliance Assistance Letters Issued	177	136	451
4	Warning Notices Issued	30	24	66
E.	<u>Core Function: Enforcement</u>			
1	New Cases Initiated	8	9	17
2	Active Cases	66	75	N/A
3	Tracking Cases	44	45	N/A



Citizen Support & Outreach

Environmental Complaints Received for FY2022

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Environmental Complaints Received	Nov	Dec	FY2022
Agency Total	121	113	426
Air Division	55	55	207
General	7	8	24
Noise	40	34	136
Open Burning	4	10	37
Pollution	4	3	10
Waste Division	8	11	35
General			1
Solid & Hazardous Waste	6	8	25
SQG	2	3	9
Water Division	31	18	83
General	2	1	4
Unauthorized Discharge/Disposal	6	5	21
Wastewater	19	11	49
Water Pollution/Quality	4	1	9
Wetlands Division	27	29	101
Dredge & Fill	10	9	33
General		1	5
Mangrove Impacts	2	5	14
Unauthorized Seawall/Dock	3	3	14
Water Pollution/Quality			1
Wetland Clearing	12	8	30
Wetland Flooding/Drainage		3	4



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item #7.c.

Date of EPC Meeting: January 27, 2022

Subject: Pollution Recovery Fund Budget

Agenda Section: Consent Agenda

Division: Administration Division

Recommendation: Informational Report Only

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

Financial Impact: No Financial Impact

List of Attachments: PRF Budget Spreadsheet

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

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 22 POLLUTION RECOVERY FUND
10/1/2021 through 12/31/2021**

REVENUE		EXPENDITURES		RESERVES		NET PRF
Beginning Balance	\$ 857,373	Artificial Reef	\$ 33,338	Minimum Balance	\$ 120,000	
Interest	\$ (1,212)	Open Projects	\$ 419,246	Est. FY 22 Budget	\$ 33,338	
Deposits	\$ 61,297			Asbestos Removal	\$ 5,000	
Total	\$ 917,458	Total	\$ 452,584	Total	\$ 158,338	\$ 306,536

PROJECT	Project Amount	Project Balance
FY18 Projects		
Audubon Florida Invasive Removal	10131.102063.582990.5370.1293 \$ 50,000	\$ 9,404
TBW MacDill AFB Living Shoreline	10131.102063.582990.5370.1294 \$ 49,324	\$ 11,963
UF Small Farms For Clean Water	10131.102063.581990.5370.1295 \$ 15,750	\$ 14,269
	\$ 115,074	\$ 35,636
FY21 Projects		
TBW 2D Island Living Shoreline	10131.102063.582990.5370.1350 \$ 49,560	\$ 49,560
Eckerd College Microplastic Pollution	10131.102063.582990.5370.1351 \$ 49,450	\$ 49,450
Sun City Audubon Phase 2 Nature Trail	10131.102063.582990.5370.1352 \$ 20,000	\$ 4,000
USF Multidrug Resistant Bacteria	10131.102063.581990.5370.1353 \$ 50,000	\$ 50,000
Tampa P&R Ignacio Haya Park	10131.102063.581001.5370.1354 \$ 50,000	\$ 50,000
USF Fecal Source Detection	10131.102063.581990.5370.1355 \$ 50,000	\$ 50,000
ERI MacDill AFB Saltern Restoration	10131.102063.582990.5370.1356 \$ 37,000	\$ 37,000
ERI FWC Living Shoreline Demo Site	10131.102063.582990.5370.1357 \$ 42,000	\$ 42,000
UF/IFAS Florida Friendly Landscaping	10131.102063.581990.5370.1358 \$ 8,600	\$ 8,600
	\$ 356,610	\$ 340,610
FY22 Project		
DOH/EPC Radon Study	10131.102063.534990.5370.1359 \$ 21,000	\$ 21,000
DOH/EPC Radon Study	10131.102063.552001.5370.1359 \$ 14,000	\$ 14,000
		\$ 35,000



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 7.d.

Date of EPC Meeting: January 27, 2022

Subject: Legal Case Notification

Agenda Section: Consent Agenda

Division: Legal Department

Recommendation: None. Informational.

Brief Summary: This notification is to assist Commissioners in identifying potential conflicts of interest that may exist and that may require disclosure prior to taking action in a quasi-judicial administrative matter. It is also intended to assist Commissioners in avoiding discussing matters with parties during administrative or civil litigation.

Financial Impact: Standard litigation costs are included in the Legal Department's operating budget, but any individual case may require a future budget amendment.

List of Attachments: None

Background: The EPC Legal Department primarily handles litigation in administrative and civil forums. A list of new cases the EPC opened since the previous Commission meeting is provided below. Occasionally, a new case or cases, may be disposed of in between the prior and current EPC meetings, yet this list will still be provided for continuity and consistency.

Administrative appeals (a/k/a administrative hearings, petitions, challenges, or Section 9 Appeals) involve challenges to agency actions such as permit application decisions or administrative enforcement actions (e.g. – citation or consent order). These proceedings are conducted before an appointed hearing officer who enters a recommended order after an evidentiary hearing. After the hearing officer issues the recommendation, the administrative appeal is transferred back to the Commission to render a final order. Acting in this quasi-judicial capacity, the Commission and all parties are subject to ex-parte communication restrictions. After receipt of an appeal or a request for an extension of time to file an appeal, the Commission should avoid discussing those cases.

The purpose of providing notice of new cases is to assist Commissioners in identifying persons or entities that may present a conflict of interest. Certain conflicts may require the Commission to recuse themselves from voting on a final order. Please note, the Legal Department provides notice of sufficient appeals to the Commission via e-mail to assist in the conflict check process and as a reminder to limit

communications; therefore, the Commission may have already received prior notification of the administrative case(s) listed below.

If the EPC becomes a party in civil litigation either through an approved Request for Authority to Initiate Litigation or by receipt of a lawsuit, the case will also be listed below. Any attorneys representing opposing party(ies) must communicate through the EPC counsel and should not contact the Commission directly. It also recommended that the Commissioners avoid discussing litigation prior to consulting with EPC counsel.

Please direct any calls or e-mails concerning administrative or civil litigation to the EPC Legal Department.

NEW LITIGATION CASES OPENED SINCE LAST EPC COMMISSION MEETING:

EPC Case No.	Date Opened	Case Type	Case Style	Division
21-EPC-011	11-09-21	Administrative	Christopher and Erin Lindell v. EPC	Wetlands
21-EPC-012	11-12-21	Administrative	Charles Garber v. Stewart Rentals, LLC and EPC	Wetlands



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item #7.e.

Date of EPC Meeting: January 27, 2022

Subject: 2021 Fourth Quarter Action Plan Updates

Agenda Section: Consent Agenda

Division: All EPC Divisions

Recommendation: Informational Report

Brief Summary: For the past ten years, EPC staff has developed a series of action plans that help address various initiatives which support the Agency's strategic priorities. The quarterly updates for all open action plans are listed.

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


List of Attachments: Quarterly Update for Action Plans

Background: As part of the Agency's strategic planning process and philosophy of continuous improvement, staff has held periodic strategic planning sessions. These included input from the Commission and a broad range of EPC staff. Besides reviewing the priorities and guiding mission statements, staff also consider new initiatives to improve the EPC's effectiveness and efficiency. Since the Agency started this formal procedure in 2010, staff has completed over seventy of these initiatives.

The action plans were created to reflect the Agency's strategic objectives, and each initiative was described in an individual action plan with measurable goals. The attachment reflects the update as of the end of the fourth quarter of 2021 on the status of the action plans that are currently open.

The owners of select action plans may be scheduled to present an overview of their project to the Commission at regularly scheduled EPC Commission meetings.

Quarterly Update for 2019 Action Plans

Strategic Objective	Action Plan	2019 -2020 Action Plan Goals	Status
Efficient customer service and fluent agency staff	Interdepartmental Familiarization	Set up committee with agency members from different divisions	Complete. Action plan committee members include Michael Gile (Wetlands), Jeff Sims (Air), Nita Osterman (Water), Yamil Dias (MIS), Gabby Nataline and Ron Cope (Waste)
		Conduct Interviews with supervisors and managers to determine most useful cross familiarization methods	Complete. Action plan committee has identified and agreed on methods for cross familiarization based on staff interviews
		Determine innovative ways to encourage staff members' self-education	Complete. Committee has agreed to permanent desktop icon with resources, bi-weekly interactive intranet activities, quarterly luncheon meetings dedicated to each division, mandatory new hire training organized by direct supervisor.
		Create/distribute survey monkey to allow measurable success of action plan	Complete. Survey results have been received and compiled.
		Set deadlines for supervisors/managers to complete resources-develop standards for mandatory new hire training	Complete. Guidance has been formulated and has been distributed to all Managers and Supervisors.
		Conduct quarterly meetings dedicated to each division	Complete. Five or five division-specific familiarization sessions have been completed. The final session was completed on DEC 1, 2021.
		Electronic methods of interdepartmental familiarization	Continues. Completed session presentations are available via the EPC's SharePoint. As future presentations are completed or updated, through on-going Committee activities, they will be included on the SharePoint and will remain available to all staff.
		Distribute second survey monkey	In-process. Mid-point survey was conducted in April of 2021. A final survey is currently being assembled and will be disseminated in JAN 2022 to determine the over-all success of the Action Plan to date.
		Measure success of action plan	Continues. As the Action Plan moves to its on-going Committee, overall success will be evaluated periodically by the Committee with adjustments being made, as needed.

Quarterly Update for 2021 Action Plans

Strategic Objective	Action Plan	2021 Action Plan Goals	Status
<p>Continuous Improvement; Trained, Successful and Empowered Workforce</p>	<p>Yellow Belt Training - Process Improvement/ Mapping</p>	<p>Identify process to evaluate for efficiencies</p>	<p>NOTE: The intent of the pilot was to include all agency divisions. This was scaled back to prioritize and address Wetlands Processes at this time.</p> <p>Complete. EPC LEAN Team. Tampa Port Authority (TPA) and Wetlands Assessment and Development Services (ADS) were selected and prioritized.</p>
		<p>Conduct Interviews with supervisors, managers, Director, and staff to determine and map current processes; identify process gaps/ redundancies/ waste.</p>	<p>Complete. Action plan committee completed staff interviews and performed the initial mapping of current TPA and ADS processes.</p>
		<p>Educate Staff on Yellow Belt Tools</p>	<p>Complete. Electronic Technical Solutions (ETS) conducted Yellow Belt initial training 2/8/21-2/15/21 for pertinent Wetlands staff. Yellow Belt Certification earned on 11/30/21 and 12/1/21.</p>
		<p>Pilot recommended changes</p>	<p>Ongoing. Received final version of Process Maps and deliverables from ETS. Wetlands Division is in progress of implementing changes.</p> <p>NEXT STEPS Discuss with Senior Staff: evaluation of IPMs/KPMs and identify if feasible to deploy to entire agency. Seek Action Plan closeout.</p>
		<p>Measure success of action plan</p>	<p>Ongoing: Overall Action Plan success will be evaluated upon completion of the above tasks with adjustments made, as needed, upon close-out of the Action Plan and as the Action Plan moves to its on-going Committee.</p>



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 7.f.

Date of EPC Meeting: January 27, 2022

Subject: Select Performance Measure Goals for 2021

Agenda Section: Consent Agenda

Division: Executive Director Report

Recommendation: Informational Report

Brief Summary: As part of the EPC staff's strategic planning, the Agency measures key activities and set goals for 2021. These are tabulated and periodically presented to the Commission in the consent agenda.

Financial Impact: No Financial Impact

List of Attachments: Table Titled 2021 Goals

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

2021 Goals

Core Function	Measure	Pre-Sterling Year (2009)	2018	2019	2020	2021	2021 Goal
Permitting	Average Time to Issue an Intent for State Construction Permits	57 days	16 days	19 days	28 days	23 days	Less Than or Equal to 30 days
	Average Time to Issue an Intent for Tampa Port Authority Permits	56 days	50 days	51 days	56 days	58 days	Less Than or Equal to 60 days
	Average Time EPC Permits were In-house	21 days	26 days	34 days	36 days	34 days	Less Than or Equal to 30 days
Compliance	Timely Resolution of Lower Level Non-Compliance Cases	92%	95%	92%	97%	93%	Greater Than or Equal to 90%
Environmental Complaints	Timely Initiation of Investigation	99% in 5 Days	98% in 3 Days	96% in 3 Days	96% in 3 Days	97% in 3 Days	Greater Than or Equal to 90% in 3 Days
Enforcement	Timely Initiation of Enforcement	73%	93%	92%	98%	98%	Greater Than or Equal to 90%



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 9.a

Date of EPC Meeting: January 27, 2022

Subject: Phosphate Mining and Reclamation Overview

Agenda Section: Regular Agenda

Division: Wetlands Division

Recommendation: None. Informational only.

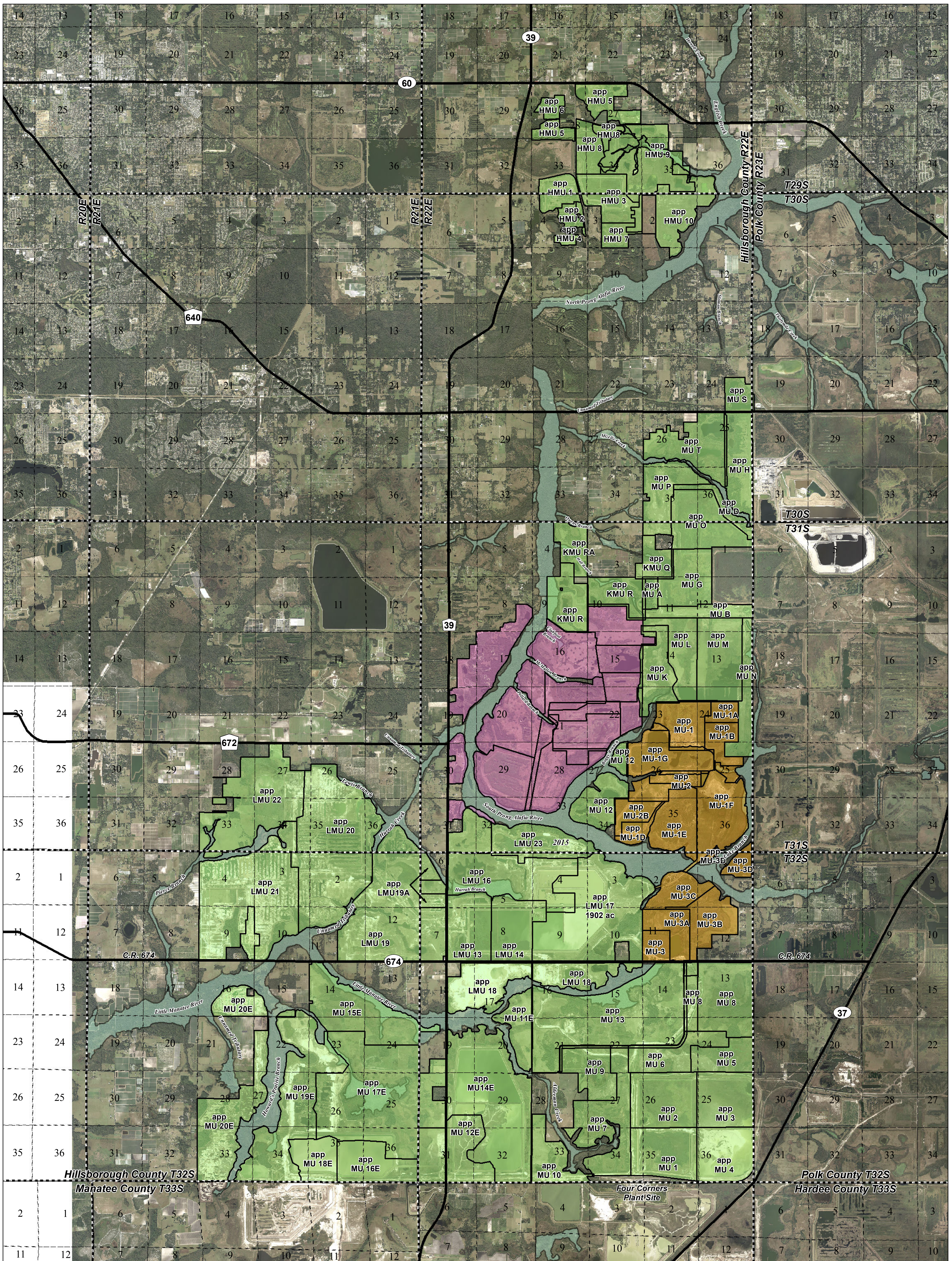
Brief Summary: At the Commission meeting held in September 2021, the Commission asked for an overview of the phosphate mining and reclamation processes in Hillsborough County, including history, current status, and anticipated future trends. Related questions that arose during EPC's prior presentations on phosphogypsum stacks will also be addressed.

Financial Impact: No Financial Impact

List of Attachments: Hillsborough County Mining Unit Map

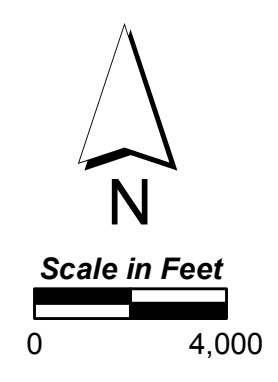
Background: At the request of the Commission, the Water Division staff provided a series of presentations on phosphogypsum stacks during the August, September, and November 2021 Commission meetings. On September 9, 2021, various Commissioners also requested an overview of phosphate mining and reclamation processes. The Wetlands Division staff will complete the series of presentations by providing an overview of the phosphate mining and reclamation aspects of the industry. Topics will include the history of mining and permitting in Hillsborough County, the current status of mining and reclamation, and anticipated future trends in the region. This presentation will also address related questions that arose during prior phosphate presentations.

A map showing the location of Hillsborough County-approved mining units is attached.



Legend

- Section Lines
- Township/Range Lines
- Approved Mining Units
- Alafia River State Park Property
- Big Four Mine
- 25 Year Floodplain



Mosaic

**Hillsborough County
Mines**

Mining Unit Boundaries
Revised 6/29/16
Mosaic Aerial 12/2015



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 9.b.

Date of EPC Meeting: January 27, 2022

Subject: EPC Executive Director's Annual Evaluation

Agenda Section: Regular Agenda

Division: Administration Division

Recommendation: Vote to accept the Executive Director's evaluation as presented.

Brief Summary: The EPC Executive Director's performance is evaluated by the Commission annually. The evaluation forms for Ms. Dougherty were provided in the agenda packet dated October 21, 2021 and they were discussed at the EPC Commission meeting of the same date. The assessment scores from the Commissioners have been compiled. The Commission has an opportunity to provide additional feedback at this meeting and complete the evaluation process.

Financial Impact: No Financial Impact outside the approved budget.

List of Attachments: 2021 Executive Director Assessment Scores

Background:

Pursuant to the Section IX of the Employment Agreement (as amended) between Janet Dougherty and the EPC, the Commission "shall review and evaluate the Executive Director at least annually during the month of December or the next regular meeting of the Commission after December." This is an annual opportunity to evaluate the performance of the EPC's Executive Director.

The Executive Director's evaluation criteria are linked to goals that the Commission establishes annually. The Executive Director's goals are updated quarterly as part of the agenda backup. Many of those goals were highlighted in the 2021 EPC Annual Report presented by Ms. Dougherty to the Commission. The assessment ranking criteria and blank evaluation forms were provided to each Commissioner in their agenda packet and the evaluation process was presented by Elaine DeLeeuw at the October 21, 2021 Commission meeting.

Ms. Dougherty also supplied the Commission with a self-evaluation packet to further assist in the Commission's review of her performance. Most of the Commissioners individually provided their scores and any comments on the evaluation forms and returned them to the Chair's office. EPC staff compiled the scores on the attached table. The Commission will have an opportunity at this meeting to discuss the Executive Director's performance and provide any evaluation and guidance.

Section III of the Employment Agreement (3rd Modification) provides that the Commission shall consider additional salary or benefit increases as it may deem appropriate. If the Commission takes no action within 60 days of the evaluation, Ms. Dougherty will receive the same wage increases as other unclassified managerial employees as approved by the BOCC budget process.

**JANET DOUGHERTY
EXECUTIVE DIRECTOR, ENVIRONMENTAL PROTECTION COMMISSION
2021 ASSESSMENT**

BEHAVIORS								
	Leadership	Communication	Responsiveness	Respect & Fair Treatment	Quality of Staff Work	Service to the Community	Problem Solving	Management of Organization
Hagan								
Kemp	5	5	5	5	5	5	5	5
Cohen	5	5	5	5	5	5	5	5
Myers	5	5	5	5	5	5	5	5
Overman	5	5	5	5	5	5	5	5
Smith	5	5	5	5	5	5	5	5
White	5	5	5	5	5	5	5	5
Average	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0

ACCOMPLISHMENT OF GOALS					
	Environmental Protection Excellence	Successful/ Engaged Workforce	Customer/Partner Focused Excellence	Fiscal Responsibility	Continuous Improvement
Hagan					
Kemp	5	5	5	5	5
Cohen	5	5	4	5	5
Myers	5	5	5	5	5
Overman	5	5	5	5	5
Smith	5	5	5	5	5
White	5	5	5	5	5
Average	5.0	5.0	4.8	5.0	5.0

PERFORMANCE MEASURES ON CORE FUNCTIONS						
	Timely Delegated State Permitting Processing	Timely Port Authority Permitting Processing	Timely Local EPC Permitting Processing	Timely Compliance	Timely Complaint Investigations	Timely Enforcement Resolution
Hagan						
Kemp	5	5	5	5	5	5
Cohen	5	5	4	4	5	5
Myers	5	5	5	5	5	5
Overman	5	5	5	5	5	5
Smith	5	5	5	5	5	5
White	5	5	5	5	5	5
Average	5.0	5.0	4.8	4.8	5.0	5.0