

**Citizens Environmental Advisory Committee
February 7, 2011 Meeting Minutes**

Members in attendance

Danny Alberdi, Daniel Bostrom, Hallie Calig, Deborah Cope, Tony D'Aquila, Roy Davis, Janet Dougherty, Wayne Echelberger, Ph.D., Harold Falls, Melanie Higgins, Joy Ingram, Karen Jaroch, Dale Meryman, Cam Oberting

Members absent

Jeremy Burris, John Miller, James Harris

Guests

Nicole Jagusztyn, Hillsborough Community College; Trisha Kirby, Contract employee for EPA.

EPC Staff in attendance

Richard Garrity, Executive Director; Richard Tschantz; General Counsel; Jerry Campbell, Director Air Management Division; Sam Elrabi, Interim Director; Water Management Division; Hooshang Boostani, Director Waste Management Division; Deborah Sinko, Interim Director, Wetlands Management Division; Tom Ash, Water Management Division; Jeannette Figari, CEAC Liaison.

1. Call to Order

The Chairman called the meeting to order at 3:07 p.m. Mr. Alberdi welcomed the new members in attendance and asked Janet Dougherty, Daniel Bostrom and Karen Jaroch to introduce themselves to the Committee.

2. Approval of the January 3, 2011 Meeting Minutes

The draft January 3, 2011 minutes were approved with one correction. Under item #8, Other Business, the term "Livable" would be inserted prior to "Tampa Roundtable" to properly identify the advocacy group as the *Livable Tampa Roundtable*. Several members abstained from voting since they were not present at the January 3rd meeting.

3. Public Comment

Two members of the public were present. At the request of the Chairman, they introduced themselves but did not have any comments for consideration by the Committee.

4. Review of the January 27, 2011 EPC Regular Meeting

There was only one item on the agenda for consideration by the Commission, the final order hearing in the *Evelyn Romano vs. City of Tampa and EPC* administrative appeal of a wetland impact authorization. Dr. Garrity provided a summary of the proceeding and informed the Committee of the Commission's decision to accept the Hearing Officer's recommendation to uphold the authorization for wetland impacts.

5. Preview of the February 17, 2011 EPC Regular Meeting

Dr. Garrity indicated that the following items would be on the agenda for the February meeting:

- Staff would be responding to several questions raised by the Commission during the January meeting.
- Rick Tschantz, General Counsel would be giving a legislative update.
- The adjustment to EPC service fees will be discussed.

6. Nomination and Election of Chairman and Vice Chairman

In accordance with the Bylaws, nominations for the CEAC officers were taken from the members. Tony D'Aquila nominated Danny Alberdi to remain as Chairman; the nomination was seconded by Hallie Calig. No other nominations were offered. A vote was taken and Mr. Alberdi's nomination was approved unanimously with Mr. Alberdi abstaining from the vote.

Janet Dougherty nominated Hallie Calig for Vice-Chairman. Ms. Calig respectfully declined the nomination. Deborah Cope volunteered herself for Vice-Chairman; the nomination was seconded by Wayne Echelberger. No other nominations were offered. The vote was taken and Ms. Cope's nomination was approved unanimously with Ms. Cope abstaining from the vote.

7. PRF Cycle Update

Tom Ash, General Manager Water Management Division, explained the Pollution Recovery Fund (PRF) and reviewed the application process, the PRF cycle and the role of the CEAC members in evaluating the PRF applications for the new committee members.

Mr. Ash indicated that the Agency would need to forego the project application cycle for this calendar year based on the limited amount of available funds and the requisite allocation of PRF funds to fulfill the Agency's legal requirements to conduct an educational campaign regarding the rule and to conduct a study on the effectiveness of the rule as prescribed in the recently adopted Fertilizer Use and Landscape Management Rule.

CEAC members asked questions regarding the Fund and asked that staff provide them with the criteria developed for the study when available.

8. Sunshine Law/Code of Ethics as Applicable to CEAC

Rick Muratti, Assistant Counsel, distributed information to the members that addressed the Florida Sunshine Law and the Florida Ethics Laws as they apply to advisory committees such as CEAC. He reviewed the applicable provisions contained in each law and explained how CEAC members would be expected to conduct themselves in accordance with the laws.

Mr. Muratti indicated that there was one Ethics provision addressing conflicting employment or contractual relationships that he would be looking into for further clarification.

9. Regulatory Division Presentations

The Agency's Division Directors replicated for CEAC the presentation they gave to the Commission at the December 16, 2010 EPC meeting. Each Director gave a report on current projects or programs within their respective Divisions. Deborah Sinko, Wetlands Management Division Interim Director, spoke about one-stop permitting; Richard Tschantz, Legal and Admin Services Director, gave an overview of the Agency's participation in the Sterling Management program; Hooshang Boostani, Waste Management Division Director, spoke about the importance of the petroleum cleanup program, the Inland Protection Trust Fund and storage tank compliance; Sam Elrabi, Water Management Division Interim Director, spoke about the nutrient management initiative and the adoption of the Fertilizer Use and Landscape Management Rule; and lastly, Jerry Campbell, Air Management Division Director, spoke about the County Office of Sustainability.

10. Legislative Report

Richard Tschantz, General Counsel, informed the Committee that this year's Legislative Session starts on March 8, 2011. He identified several bills that the EPC is tracking; HB457/SB606 which requires all local governments to adopt the minimum State standards for fertilizer use and proposes to repeal any stricter standards, HB13/SB130 which proposes to repeal the septic tank legislation passed in the 2010 session, HB239(no matching SB) which prohibits implementation of the EPA's numeric nutrient criteria; and an unfiled streamline permitting bill which would require all local wetland programs to seek FDEP delegation by June 2012. Mr. Tschantz indicated that the Bill filing was in the preliminary stages and subject to many changes.

Tony D'Aquila identified two other Bills that EPC staff may want to track, SB762 which deals with climate change and SB 796 which deals with wastewater discharge to estuarine and marine waters.

11. Other Business

The Chairman suggested scheduling a discussion on updating the Bylaws for the March meeting. Discussion ensued as to procedure. One suggestion was to handle this discussion as a two part process; another suggestion was to have members bring their comments to the March meeting and then form a subcommittee to review the suggestions and bring them back to the Committee at large. The members agreed to bring their suggestions to the March 7, 2011 meeting; no action was taken on forming a subcommittee.

Tony D'Aquila distributed information on and spoke about the Tampa Bay Estuary Program's Policy and Management Board meeting and the National Fish and Wildlife Foundation's grant program.

12. Adjournment

A motion was made to adjourn, the motion passed unanimously. The meeting was adjourned at 5:28 p.m.