

Citizens Environmental Advisory Committee Meeting Minutes – August 3, 2009

Members in attendance

Daniel Alberdi, Jeremy Burris, Hallie Calig, Deborah Cope, Roy Davis, Wayne Echelberger, Ph.D., Melanie Higgins, Ann Hodgson, Ph.D., Joy Ingram, David Jellerson, Vicki Kenyon, Dale Meryman, Ph.D., Cam Oberting, George Parker, Jr., Sharon Terrill-Elfers

Members absent

Harold Falls, Kim Koleos

Guests

Janet Dougherty, Tom Myer, PRF project presenters: Rick Wagner, Hung Mai, Ralph Swank, Jason Leslie, Heidi Swanson, Thomas Ries, Jerry Campbell (Air Management Division Director), Randy Kildworth and Don Hardy.

EPC Staff in attendance

Dr. Garrity, Executive Director, Richard Tschantz, General Counsel, Ricardo Muratti, Assistant Counsel; Tom Ash, ERM Division; Sam Elrabi, Water Management; Fred Nasser, Water Management; Mary Yeargan, Waste Management; Pete Owens, Wetlands Management; Chris Cooley, Wetlands Management; Jackie Acevedo; Wetlands Management; Christina Bryant, Wetlands Management; Leslie Rogoff, Legal Intern; Jeannette Figari, CEAC Liaison.

I. Regular Business

The meeting was called to order at 2:00 p.m. Hallie Calig distributed copies of a Tampa Tribune commentary on maintaining EPC's independence.

a) Public Comment

No one from the public commented at this time.

b) Approval of June 1, 2009 Minutes

The minutes were approved unanimously with the correction of the transposition of letters in the word "almost" on page 2.

c) Review – July 16, 2009 EPC Meeting

Dr. Garrity gave a brief summary of the items addressed at the July 16th meeting.

- The Executive Director's report included an update on the status of the Agency's participation in the Sterling Business Model management strategy.
- EPC staff submitted a response to address questions raised about delegation, the consolidation of the Legal Department with the County Attorney's Office and the Water Team.
- Richard Boler, ERM Division, gave a report on the nutrient management issues as they relate to the County's aquatic resources.
- Ricardo Muratti, Esq., EPC Assistant Counsel, identified the BOCC Policies that the staff felt were appropriate for adoption and recommended the Commission adopt those policies. He also updated the Commission on the EPC's Executive Director Policies.

d) Preview –August 20, 2009 EPC Meeting

Dr. Garrity gave a brief summary of the items to be included on the August 20th Agenda.

- A Pollution Prevention proclamation is scheduled for this meeting.
- The Waste Management staff will provide an update on the efforts of EPC, SWFWMD and PGMD in the development of mulch BMP's.
- A report on the Tanks compliance audit will be presented.
- In response to a Commissioner's request, Water Management Division staff will report on the regulation of mobile truck washing and stationary truck washing facilities.
- Wetlands Management Division staff will present the quarterly update on the Hybrid program.

At this time, Dr. Garrity informed the Committee that the reconciliation of the budget is scheduled to take place on August 13, 2009 during the scheduled budget workshop. He also passed around a copy of a report on the effects of climate change that he received at the climate change workshop he attended.

II. Items for Discussion, Action or Presentation

a) Pollution Recovery Fund (PRF) – project presentations

Six PRF presentations were scheduled for this meeting. The applicants were allotted 10 minutes to make their presentations followed by a question and answer period in which CEAC members could ask questions and/or request additional information from the applicant. Mr. Don Hardy, project manager for the Artificial Wetland Cells project, was unable to make his scheduled presentation last month and has been added to this month's list of presentations. The following Pollution Recovery Fund project applications were presented at this meeting:

(1) Pilot Project for Outfall Water Quality in Lake Magdalene: Pre & Post Testing

Applicant: Lake Magdalene Special Dependent District

Project Manager: Rick Wagner

PRF Request: \$92,000.00

Project Details: Identify the point sources discharging into the lake, collect more water quality data, rank and prioritize the improvements, assess the cost/benefits of the retrofit measures i.e. (CDS units, and/or natural biological treatment systems).

Objectives:

- a) Assist the Principal Investigator in identifying current outfall areas on the lake
- b) Update the stormwater points of entry and choose one that typically represents pollutant runoff into Lake Magdalene
- c) Monitor the nutrient levels coming in points of entry/outfalls
- d) Reduce levels of nutrients and other contaminants in urban stormwater so that concentrations in the discharge at a minimum meet the standards applicable to the water body. Promote proper maintenance of stormwater points of entry/outfalls including installation of CDS units or other sediment/filtration and/or biological treatment devices to capture debris and retard nutrient and fertilizer invasions. This objective is consistent with the lake management plan.
- e) Educating the homeowners to their responsibilities of preventing pollutants going into the lake via lawn care maintenance will be an ongoing objective of this grant.

Results and/or Benefits Expected:

- a) It is the Lake Magdalene Special Dependent District's belief that the lake will be ecologically restored to its natural-system-state prior to the Cherry Creek subdivision (accounting for a minimum of 3-4 points of entry/outfalls for stormwater runoff), Haven Bend roadway, Lake Wilford, Briardale Lane, Shady Shore Drive and Bearss Avenue (accounting for 1-2 points of entry/ outfalls) jettisoned growth and development of North Dale Mabry's Corridor (accounting for a minimum of 2 points of entry/outfalls for stormwater runoff).
- b) Physically, as the hydrilla, cattails and malaleuca are reduced or thinned out, present navigational hazards will be eliminated by increased visibility and submerged malaleuca tree trunks as obstacles will be avoided. The lake ecosystem will benefit wildlife habitats and significantly increase food chains.
- c) The economical and financial benefits will be evidenced by a stable or increased tax base by preserving property values which have shown an increase in assessed values under normal economic conditions in the Bay area.

CEAC members asked questions regarding maintenance and management of the Continuous Deflection Separation (CDS) unit, the location and the installation. Questions were raised regarding public access to the

lake and how the previous PRF funds were utilized. The applicant was asked to contact Temple Terrace and request a statement from the City Engineer regarding the effectiveness of the CDS unit.

The applicant answered the questions from CEAC and Tom Ash indicated that an update on the status of the previous PRF grant awarded for this project would be provided with the staff's recommendation at the next meeting.

The applicant for the next scheduled project presentation had not arrived and the Chairman moved forward to the Other Business portion of the meeting to discuss the Bylaw issue that was raised at the June 1st CEAC meeting.

(2) Agriculture Best Management Practice Implementation Project II

Applicant: FDACS Office of Agriculture Water Policy

Project Manager: Brian Bowman

PRF Request: \$150,000.00

Project Details:

1. Help fund a BMP Implementation team focused on providing guidance to growers/managers for BMP implementation in commercial farms. This team will conduct evaluations of physical features and production practices and then provide recommendations for changes and improved operation and management.
2. Through partnerships, establish demonstrations of unfamiliar BMPs on commercial sites and conduct evaluations of their effectiveness to reduce off-site impacts of farming operations.
3. Provide educational opportunities (workshops, demonstrations, field days, etc.) to demonstrate and discuss BMPs for all levels within the production system, from upper management to laborers.
4. Work with the Hillsborough County Agriculture Partnership to identify new BMPs or improvements to existing BMPs that can result in practical solutions for improving water quality and the sustainability of agricultural production. In addition, the Implementation Team will provide information on the status of BMP implementation to interested agencies and the general public.
5. Review pertinent research relating to BMPs and develop summaries in formats suitable for dissemination to growers.

The project manager, Mr. Bowman, did not show for his scheduled presentation.

(3) Basis of Review for Borrow Pit Applications

Applicant: HSW Engineering

Project Manager: Dr. Ken Watson

PRF Request: \$78,000.00

Project Details: HSW Engineering, Inc. proposes to prepare an up-to-date manual on how to permit borrow pits and protect the local hydrology. Additionally, they propose to conduct 2 seminars for permit reviewers, developers, and interested citizens regarding the manual and methods developed in this project. These seminars should focus not on processing an EPC permit with the draft BOR, but generally the methodologies to develop a borrow pit without impacting the surrounding natural resources. Finally, they propose to assist the EPC in codifying the manual into a Hillsborough County Ordinance. As rulemaking on this subject is not a current Board mandate, the PRF funds should be used for the other parts of this project if the Board agrees. As described in the application, rulemaking could be a separate part of the project, and not necessarily a part of the PRF project.

(4) Tampa Port Authority Stormwater Retrofit Project

Applicant: Ecosphere Restoration Institute, Inc.

Project Manager: Thomas Ries

PRF Request: \$17,000.00

Project Details: The goals of the project are to improve and enhance stormwater quality, as well as provide additional habitat within the developed area of the Port and demonstrate the effectiveness of the treatment system. The project consists of conducting a stormwater system improvement and enhancement project on the new site located on the Hooker's Point peninsula within the Tampa Port Authority's (TPA's) property. Through a previously conducted GIS study TPA identified a basin that required stormwater retrofit activities and this was installed in March 2009. The requested funds are to finalize the project and monitor the effectiveness of the system plus install additional native plants to improve the water quality for Tampa Bay.

The applicant was asked if the proposed project was something that the TPA was required to do. The applicant responded that it was not.

(5) Greenhouse Gas Inventory for the Hillsborough County Government

Applicant: Hillsborough County Real Estate

Project Manager: Randy Kildworth

PRF Request: \$75,000.00

Project Details: The project is located within Hillsborough County boundaries. County buildings and all operations associated with the facilities are to be included in the GHG Inventory:

1. All County owned buildings.
2. All County owned vehicles.
3. All County activities which emit greenhouse gases, such as the Resource Recovery facility and the SE Landfill.
4. All County owned lands which may sequester carbon and create credits.

The objectives of this project are to:

1. Complete an emission inventory of GHGs from Hillsborough County government facilities, lands and activities.
2. Compile a Climate Action Plan.
3. Identify potential reduction projects.
4. Identify carbon offset projects and evaluate their worth. This would be existing offsets as well as potential offsets resulting from some further action.

The results and benefits that can be expected from this project are:

1. County will have an updated GHG inventory and Climate Action Plan.
2. County will have a list of projects which would reduce GHG emissions.
3. County will have a list of carbon offset projects both existing and recommended, and their worth.
4. County will have the most economically advantageous strategy in place to address future GHG control mandates from the US EPA.
5. County will be able to conserve energy and reduce their overall operating cost.
6. County will help reduce their dependence on fossil fuels both locally and in a small way on the national level.
7. County will reduce their GHG emissions as the Board directs over time.
8. County will increase their employees and the public's awareness of GHG reduction measures, thus the reductions could expand as individuals make more informed decisions in their personal life.

(6) Artificial Wetland Cells

Applicant: Logan Gate Village Special Dependent District

Project Manager: Don Hardy

PRF Request: \$5,500.00

Project Details:

A. Objectives of this project are to create 20 artificial wetland cells in the form of 32 square foot floating islands that will accomplish the following environmental objectives:

1) Form a man-made natural habitat of plants to generate the uptake of nitrogen and excess nutrients from detention ponds.
2) Once the artificial wetlands are established, they will form the host for the entire food chain starting with beneficial bacteria that will begin converting nitrogen into nitrite and ammonia for consumption or release into the atmosphere, further removing nitrogen from the ponds.

B. Benefits expected is improved water quality in detention ponds. With the reduction of nutrients in the water, the pond will no longer be a host for excessive growth of phytoplankton and algae. Once the beneficial bacteria become abundant due to the increased presence of oxygen, from the plants root systems, algae will begin to accumulate on the plants roots. The fish will harvest the new algae growth helping to keep it's population in check and improving the habitat for fish. As the summer rains continue to flush the watershed of excess nutrients, the artificial wetland cells will also continue absorption through uptake and bacteria consumption. Outflow of the detention ponds will now be much cleaner thereby fostering better water quality further down the flow to streams, rivers, lakes and onto the bay.

C. General Project Information. Early retention/detention ponds were built without a littoral shelf along the banks of the ponds. The littoral shelf forms wetlands where plants can take root and help consume excess nutrients. Today we are unable to add wetlands to these ponds because land area is not available to convert to wetlands. This project creates wetland areas on the surface of the pond. This active wetland project will be observed quarterly. Photographs will be taken of the growth and habitat activities. Upon approval of this grant, the months preceding the availability of funds, sampling of nitrogen, algae, water clarity dissolved oxygen and ph will begin and then continue after the islands are fielded. After about two years of study, the effectiveness of the islands can then be evaluated.

At the conclusion of the presentations, Tom Ash reviewed the remaining steps in the PRF process and reminded the members to check the website since he will be posting additional project information as it comes in.

Since the applicant for the Agriculture Best Management Practice Implementation Project II did not show for his scheduled presentation, CEAC members inquired if the project was still considered viable. Mr. Ash indicated that is a viable project and will be reviewed by staff.

Other Business

Richard Tschantz, General Counsel, addressed the Bylaw issue concerning individual CEAC member communications regarding issues voted on by the Committee. He informed the Committee that members of Advisory Boards or Committees are considered Public Officers pursuant to Chapter 112, *Code of Ethics for Public Officers and Employees*, F.S., and as such are subject to the provisions contained therein. Mr. Tschantz cited the provisions governing the misuse of public position and voting conflicts and advised that CEAC members should be very careful not to use their position as a CEAC member for any special gain for themselves or others. He advised that the members would be subject to the Code of Ethics whether or not the Committee takes a formal position on the issue. In response to the constitutionality question that was raised at the June meeting, Mr. Tschantz indicated that adopting a policy to address the communications issue would not be unconstitutional.

The Planning Commission's Bylaw and Policy language pertaining to this issue and a proposed policy for the Hillsborough County Farm Bureau Board of Directors were provided as examples of how such a policy may be constructed.

There was some discussion among the members and it was suggested that this issue be scheduled for review along with other Bylaw provisions at a later date. Chairman Jellerson suggested adding this item to the October 5, 2009 CEAC agenda.

Agenda Items for September 14, 2009 CEAC Meeting

- (a) EPC staff recommendations will be presented for the 2009 PRF project applications.
- (b) CEAC will consider the 2009 PRF project applications and register their recommendations for approval or denial.

A motion was made to adjourn. The motion passed and the meeting was adjourned at 4:45 p.m.