

EPD Response to Bob Palmer January 18, 2012 EPAC General Background Questions

General Questions

1. Please provide a list of major EPD accomplishments in recent years.

Pollution Prevention

Major Accomplishments of Pollution Prevention Division over last 5 years.

- *Provided local technical oversight of Cabot-Koppers Superfund Site clean-up plans and investigation activities on behalf of Alachua County and the City of Gainesville, resulting in increased attention by USEPA to offsite soil and dust contamination issues and improved remedial technologies for increased protection for neighboring residents and groundwater resources*
- *Thirty-two (32) petroleum contaminated sites in Alachua County have been cleaned-up including major petroleum cleanup at the Poole Roofing/ Depot Park site in downtown Gainesville. Active remediation systems have been installed on Hogtown Creek to clean-up gasoline discharge into the creek.*
- *Provided annual regulatory oversight resulting in upgrade of 350 underground fuel storage tanks in Alachua County to double wall tanks which provided increased protection of drinking water resources from petroleum fuel leaks.*
- *Established a first-in-the-state unwanted pharmaceuticals/medicines collection and disposal program in Alachua County with multiple drop-off locations to protect water resources from contamination.*
- *Established a waste vegetable oil recycling and biodiesel fuel production capability at the Hazardous Waste Collection Center (HWCC). Established capability to operate the HWCC facility off-the grid with 100% biodiesel powered electrical generator.*
- *Installed solar photovoltaic electrical generation at the HWCC to offset facility electrical usage and generate revenues for the County through the GRU FIT program.*
- *Established and expanded a model electronic scrap recycling and reuse capability at the Hazardous Waste Collection Center.*
- *Collected 7,500,000 pounds of hazardous waste and served over 150,000 customers at the HWCC*

Natural Resources Division

- *Over 1,400 acres of protected open space has been preserved on 3,516 acres of development projects since April 2006 (date of adoption of the current Unified Land Development Code).*
- *2005 and 2006, the county adopted new comprehensive plan and land development regulations with strong environmental protection policies.*

- *Since 2006, 283 acres of wetlands (and associated buffers) have been protected on development sites with zero wetlands impacts approved.*
- *Since 2006, NR staff responded to over 3,100 citizen and agency inquiries related to natural resource protection.*
- *Successfully added Low Impact Development (LID) opportunities for development projects through new LID code options and the removal of code roadblocks that discouraged or prevented these more sustainable options.*
- *Adoption of new Springs protection language in the 2011-2030 Comp Plan and associated code language that is expected to be adopted in the spring of 2012.*
- *Developed the Pre-Application Screening Program for administrative permits, designed to education property owners and developers and prevent environmental impacts at the local scale. Over 7,000 permits have been reviewed since 2006.*
- *Staff maintains a thorough and state-of-the-art GIS review project that includes information (shape files) on over 100 environmental issues in Alachua County for review of development applications, inquiries, and administrative permits.*
- *Recently completed an EPA Environmental Education grant teaching students about non-point source pollution. We also installed rain barrels and built rain gardens at three local schools.*
- *Awarded two consecutive grants from FWC for the new fairground conservation management area to manage the site for gopher tortoises and gopher tortoise habitat. Also developed a cooperative agreement with UF wildlife researchers to complete gopher population studies on the property.*

Water Resources Division

- *2012 - Obtained 3 year funding from SJRWMD to implement Landscape Irrigation Compliance Inspection program.*
- *2010 – 2011 - Stormwater Social Media Campaign for Pet Waste and Landscape Debris*
- *2006 / 2012 - Schools Chemical Cleanout Campaign to remove hazardous chemicals from schools*
- *2011 – Community Service Award from North American Hazardous Materials Management*
- *2009 - FDEP funded Santa Fe River springshed delineation project with SDII*
- *2010 - Springs Working Group coordination*
- *2008 -2011 Outfall Reconnaissance Investigation (ORI)*
- *2009 – 2011 Koppers Stormwater and Creek Sediment Study*
- *2012 Surface Water Fact Sheets*
- *2010 - Pharmaceutical and Personal Care Products in Surface Water and Treated Wastewater Study*
- *2010 – 2011 – Pharmaceutical Management Practices Study*

Land Conservation

Forty separate Acquisitions since 2002

Acquisition List protected: 19,877

<i>With Direct ACF funding:</i>	<i>16,351</i>
<i>Remaining on List:</i>	<i>29,823</i>
<i>Under contract:</i>	<i>836</i>
<i>Value of land protected:</i>	<i>\$91,551,247</i>
<i>County share:</i>	<i>\$33,851,031</i>
<i>Partner share:</i>	<i>\$57,700,216</i>
<i>Managed by County:</i>	<i>9,545</i>
<i>Managed by Partners:</i>	<i>10,332</i>
<i>To Be Opened to the public:</i>	<i>15,400</i>

As of Jan 12, 2012

BoCC approval of Timber Harvesting Plan

Placement of 17 sites on the register of Protected Public Places. Sixteen remain to be registered, 7 are conservation easements and will not be registered

2. If possible, please provide any general monitoring or analyses documenting environmental trends in the County in recent years (e.g. degradation or improvement in air or water quality). In the area of air quality, while the air quality in Alachua County remains good, there has been an increasing concern about trending higher Ozone levels in the County.

The Natural Resource program maintains a Development Trend Analysis on the direct impacts on upland and wetland resources from proposed new developments in unincorporated Alachua County. Information is available on our website at <http://www.alachuacounty.us/Depts/EPD/NaturalResources/Pages/DevelopmentalTrends.aspx>. We track gains and losses of wetlands and buffers, surface water buffers, significant geologic features, strategic ecosystems, listed species habitat, significant habitat, tree canopy, impervious surfaces and general open space associated with new development. We also identify and track projects that use Low Impact Development techniques and other sustainable practices.

*Water Resources: Hazmat— significant reduction of civil citations issued as part of routine compliance inspections. Increase in number of inspections w/o violations.
Water Quality – Urban Creek fact sheets*

3. Please describe any problems that you've dealt with and solved in recent years.

Back in the mid-2000s, EPD staff occasionally found county-approved administrative and building permits that caused environmental impacts. In an effort to eliminate these impacts, staff, working with Growth Management and Public Works, developed a pre-screening mechanism that is designed to flag applications that have the potential to cause environmental and floodplain impacts. Through this process, staff has reviewed 7,000 projects and has protected hundreds of acres of wetlands and upland habitat as a result.

ACEPD has been very successful over the last the last 25 years in addressing a real environmental threat to the groundwater resources of Alachua County from leaking underground petroleum fuel tanks and petroleum contaminated sites associated with automotive fuel filling stations in the County.

- *Since 1986, ACEPD has received over \$8 Million in state contract funding to maintain county wide tank compliance inspections and investigate and clean-up petroleum contaminated sites in the County.*
- *ACEPD's local petroleum program has successfully cleaned-up or determined that there was no contamination at 250 out of 420 reported petroleum contaminated sites in the County.*
- *ACEPD's petroleum storage tank compliance and inspection program has led to the removal of an estimated 250 underground single wall tanks (many of which were leaking tanks).*
- *The petroleum storage tank compliance inspection program has facilitated the conversion of 321 out of 324 (99%) of currently regulated underground tanks in the County to more protective double wall fuel tanks.*
- *Owing to the ongoing economic crisis, our traditional funding partners are less liquid. The State has not fully funded the Florida Forever Program and its recipient agencies since 2009. This severely limits our leveraging opportunities since 80% of the leveraged funds are derived from state sources. Coupled with the impacts on the County's General Funds, maintaining the historic pace of leveraging success will not be possible. ACF is re-focusing on federal grants as well as using more Alachua County community service workers and Department of Corrections work crews and volunteers for partnerships and implementation of programs and resource management activities.*
- *Resistance to funding wildfire and prescribed fire at Public Safety/Fire Rescue resulted ultimately in that program being cut and \$200K transferred to EPD to re-start the prescribed fire program from scratch.*
- *Pressure to open sites to public resulted in 3 sites being opened in 2007-2008. Opening sites increases demands on staff and fiscal resources, while we were still in a land-acquisition mode. Have achieved a manageable balance.*

4. How should EPD's roles change given prospects for diminished resources in sister agencies (e.g. water management districts, State and federal funding)? What specific outside funding to EPD has been cut or is expected to be cut? Please include WAV (p. 2), the State's springshed protection program, and any other eliminated programs.

Petroleum Management-Over the last several years, reduced funding from the FDEP has been experienced in the Petroleum Cleanup and Petroleum Storage Tank Compliance contract programs. Additional reductions in one or both of these programs is expected in the upcoming fiscal year.

Natural Resources-Reduction of WMD and FDEP staffing will likely make it more difficult to coordinate review of development projects, compliance issues, and enforcement of surface water and wetland violations that occur within Alachua County. The NR program's role does not change with diminished state resources, however, we could expect to see more public inquiries and requests for assistance from sister agencies due to their lack of resources.

Water Resources- WAV funding was cut by SJRWMD. EPD is currently working with the Gainesville Clean Water Partnership to restore some of the WAV functions through the partnership. Funding for Springs Protection Coordination position cut by FDEP, EPD absorbed workload using existing staff.

Land Conservation- ACF is re-focusing on federal grants as well as using more Alachua County community service workers and Department of Corrections work crews and volunteers for partnerships and implementation of programs and resource management activities.

5. Aside from funding constraints, have recent State actions or laws changed EPD's role in any way?

Legislative changes have reduced state staffing and funding levels in the last few years. It is not quite clear what the impact on our department will be; however, we anticipate that it will reduce our ability to effectively coordinate large scale planning efforts and development review activities associated with wetland and surface water impacts, stormwater, and floodplains. New legislation has changed how agricultural activities can be evaluated. Upland habitats are not protected from agriculture activities and wetland regulations have some limitations. Recent legislation has weakened the State's (DCA) ability to evaluate land use activities that could have significant environmental impacts, leaving local governments to defend their comp plans and regulations on their own.

The State has not fully funded the Florida Forever Program and its recipient agencies since 2009. This severely limits our leveraging opportunities since 80% of the leveraged funds are derived from state sources.

6. Briefly describe EPD's interactions with the City of Gainesville (including GRU) on environmental matters. Is there overlap? To what extent does the City depend upon EPD for analysis, enforcement, review, etc?

ACEPD staff have provided primary environmental technical leadership and support to the City of Gainesville as part of a Local Intergovernmental Team to address issues associated with the Cabot-Koppers Superfund Site.

The NR program no longer provides environmental review services for the City of Gainesville (contract ended in 2007); however, NR program staff continues to assist CoG environmental and planning staff with requests on projects that have recently been annexed or with city code updates that are similar to existing county regulations. Our wetland and upland habitat regulations do not apply to the City of Gainesville. However, the City of Gainesville is currently considering adopting similar upland habitat standards that current exist in the county. Their new draft language is modeled after the county rules.

Water Resources: Hazmat – Provide Hazmat development review for City projects including Wellfield Protection special permits and Cabot / Koppers are of special concern (Hazmat Code). Emergency Response – Hazmat cleanup supervision for incidents within City limits (Hazmat Code). Water Conservation – Landscape Irrigation Inspections within City limits (SJRWMD grant). Outreach and Education – coordination with GRU Water Conservation staff. Water Quality – Complaint investigation and Enforcement of Water Quality Code (NPDES Contract). Ambient sampling and monitoring (NPDES Contract, General Fund)

Jointly pursue opportunities to conserve land in the City limits using ACF and Wild Spaces & Public Places and City funds. City manages jointly owned Cofrin Park.

7. If you had more resources, where would you apply them first? In other words, what are key priorities for enhancement going forward? If you had to cut, where would you cut first?

ACEPD's Pollution Prevention Program believes that additional resources if available should be directed toward to enhancing the outreach to businesses and the local community in the area of increasing the use of more sustainable and less polluting practices in the area of hazardous materials by using less toxic chemicals, best practices for reducing electricity and water usage, promotion of recycling and reuse of hazardous and solid waste practices. This would require more resources for staffing and public education and outreach.

The NR program would target compliance and enforcement, PR and environmental education. If and when development activities return to historical levels, we would also have to apply more staff time to development review services.

Water Resources- Outreach purposes (TV and radio commercials), Research into effectiveness of fertilizer restrictions, funding for legal challenges of questionable consumptive use permits

Land Conservation- Open additional sites to public, advance restoration timetable, advance prescribed burn prep and be ready to burn more acreage. Initiate a purchase of development rights program on working landscapes, continue to acquire last remaining "gems" in fee.

Programmatic Questions

1. (p.3) "For FY12, this program will need to continue developing the prescribed burning function as a land restoration and management strategy in response to the elimination of the Public Safety's Wildfire Mitigation Program."

- (a) Has there been any controversy to date over prescribed burns?

Some, mainly in the conversation about funding priorities and how to implement them cheaply. In my opinion it stems from 2 things: (a) ignorance of connection between role of routine prescribed fire and community safety/biodiversity. One Commissioner's opinion is that it can be contracted out to the State. We have documented (using the State's own representatives) that this will not cover the entire need. We do have a Cooperative Agreement in place with them where we pay the going rate for their lead on easy big burns. We still provide the mop-up and monitoring and conduct the burns on more complicated small acreage. Private contractors can be used, the cost may be less, but the results are harder to define ecologically than other infrastructure improvements that can be contracted out; it is not just a case of does the water flow out when I turn the tap on. If we care about ecological outcomes, we need to retain and use professional in-house staff for the more complicated burns and especially for the planning, mop-up, monitoring and assessment. If we do not, we can do it cheaper. (b) perceived relative low-risk since no serious wildfires have occurred recently. I think this is due some combination of weather/our preparation/luck. We are entering a bad fire season and the State has inquiring about deploying our (non-ACFR) staff and resources. This raises a number of issues to overcome to implement, but it shows how undermanned the field is.

In sum: We are prepared to defend the mix of in-house professional staff, with equipment and training to handle a portion of the need, and contracts with Florida Forest Service and some private vendors for the simpler stuff. Bottom line is you get what you pay for. Doing on the cheap now can result in low emotional investment and care which can lead to bad fires and poor ecological results.

- (b) How effective have you been in recruiting volunteers to help with land management?

Very effective on small scale... workdays and groups. Would like to initiate and build a "conservation corps" that serves that role where all we need to do is come up with a work plan and schedule with some supervision on site, but do not have to handle the recruiting, equipping, liability. we are starting a relationship through Agreements with non-profits and private groups to lead tours on ACF sites including work days w/o day-of county involvement.

2. (p. 3) The budget documents mention the increased reviews mandated by changes in 2005-06 in the Comp. Plan and the Development Code.

- (a) How does Alachua County's environmental review process compare with other similar counties in Florida – i.e. is it more or less restrictive?

Each local government has their own unique process for evaluating development and it is difficult to determine if one process is more restrictive than another.

We briefly looked at Leon, Orange, and Volusia counties, knowing they have similar county programs and review processes. Leon and Orange counties have significantly more staff and higher permitting and review fees in general. Based on FY10 information, Leon County has 17 Environmental Compliance staff with higher fees and Orange County has 41 Natural Resource Management staff (based on listed responsibilities, their program is equivalent to the combination of our Water Resources and Natural Resources programs). Volusia County has similar staffing levels, with 6 Environmental Permitting staff, however Volusia County has limited upland habitat protection (only dealing with listed species) and wetland buffers of 25' or 50' for OFWs. Volusia county fees are similar to Alachua County. The county plans to review and update its development fee schedule this spring (FY12).

- (b) How many more EPD staff would you need if development returned to levels seen in the early 2000s, but with all the new mandates?

In general we would anticipate staffing level needs to be similar to what we had in '06 – '07 when we had an additional 1.5 FTEs to handle additional Zoning, Land Use, DRC and PAS reviews.

- (c) The budget states: "There is a growing need to provide proactive training and workshops for developers, builders, associated contractors, and homeowners to increase awareness of applicable environmental requirements prior to natural resources being damaged." What is being done in this area now? Is it working?

Our PAS process provides free assistance and education to single family level developers/builders and homeowners. Monthly meetings with BANCF provide opportunities to exchange information with developers and consultants on current county regulations. We also have frequent communication with many realtors but we

need to continue to educate other realtors on current regulations. We are also developing a plan to increase opportunities to meet with homeowner associations.

- (d) “The Land Development Regulations associated with new Comprehensive Plan policies will require significant staff time in the second half of FY11 and are expected to be completed in FY12.” How is this progressing?

NR staff and Water Resource staff have been directly involved with updates to the current LDRs. We have already held several workshops with the Board of County Commissioners (BOCC). Updated LDR adoption hearings with the BOCC are scheduled for February & March, 2012.

- (e) Please give us a sense of the citizen complaints related to natural resource protection. Have their numbers increased or decreased? How many of them involve valid concerns, rather than folks who simply don't want to comply with a sensible regulation?

We receive hundreds of inquiries from citizens each year. Most inquiries are from citizens concerned with activities that are impacting the environment (e.g. trees being cut down, wetlands being cleared). Other inquiries include requests for information to know what process or procedures are required to build on their property. Only a small number of inquiries are from citizens that are complaining about our regulatory requirements and our department staff members are not usually the ones that receive these calls. However, these complaints often get more publicity because of the nature of the complaint, who receives them, and how long they can take to resolve.

3. Please describe the hazmat billing program. Does this program collect user fees? If so, how much?

Regulated facilities are billed on an annual basis. Individual fee is based on the size and complexity of the operation (categories are set in the Hazmat Code). Total amount collected varies each year. Estimated \$220,000

4. What legislative and/or regulatory requirements underlie the hazardous materials program? Are you fulfilling Federal or State mandates, or are you conducting some or all of the program strictly because of local concerns?

Hazardous Materials Programs is a combination of two related programs.

- a) Hazardous Materials Management Program governed by Alachua County Hazardous Materials Management Code (local concerns), and*
- b) Hazardous Waste Small Quantity Generator Program required under FS 403.7234 (State and Federal requirements)*

5. (p. 6) Re greenhouse gases

(a) Are there specific county goals for greenhouse gases?

Alachua County in the Comprehensive Plan 2011-2030 has adopted a policy 4.1.2 that specifies a goal of 80% reduction from 2009 baseline emissions by the year 2050. There is an intermediate goal of 40% reduction by the year 2020 and a short term goal of 5% annual reduction.

b) Do you estimate only CO₂ or also other gases?

The emission estimates are presented in terms of CO₂ equivalents which takes into account other greenhouse gases such as methane. The estimates are based on the available data.

c) Does the inventory cover just County government functions or does it cover other emitters as well?

For 2009, the Alachua County Environmental Protection Department completed both a County government only and a Community wide inventory of greenhouse gas emissions. The Community wide inventory took into account major industrial and utility emitters in the County. Going forward as resources permit, the County will update the County government inventory annually and the Community inventory every 2 years.

(b) Does the inventory cover just County government functions or does it cover other emitters as well?

Specific quantified inventory is for County facilities only. Community wide inventory is more of a projection based upon sector estimates.

6. (p. 8) EPD staffing has decreased 8.6% since 2009. How does this compare with other County departments? *See attached comparison table.*

7. (p. 8) The table lists the following sources of funding for your \$4 million program:

General Fund	1,519,783
MSTU-Unincorporated Services	468,269
Environmental (Special Revenue)	889,736
Solid Waste	1,050,465

(a) Please provide a table showing sources of funding for the total EPD budget over the past 3 years (i.e. County funding, State funding, Federal grants or other Federal funding, water management districts, other). Show total funding, not program-by-program funding. What percentage of the total county budget goes to EPD? *See attached bar and pie charts*

(b) Are the categories listed as “Solid Waste” and “Environmental (Special Revenue)” funded entirely by the State? *These categories are primarily locally sources revenues*

(c) How much is received in total from one-time grants and contracts rather than ongoing County or State obligations?

80% of the leveraged funds are derived from state sources. ACF is re-focusing on federal grants, volunteers, community groups and other sources for partnerships.

<i>Value of land protected:</i>	<i>\$91,551,247</i>
<i>County share:</i>	<i>\$33,851,031</i>
<i>Partner share:</i>	<i>\$57,700,216</i>
<i>Managed by County:</i>	<i>9,545</i>
<i>Managed by Partners:</i>	<i>10,332</i>
<i>Stewardship Offsets (fy07 – 11):</i>	<i>\$1.2 million*</i>

** Resource management only. County budget (fy07-11):\$260,000. Does not include personnel, rents, benefits, equipment, etc.*

(d) The amount received from one-time grants and contracts in any fiscal year has been highly variable. On average an estimate would likely be in the range of \$50,000 to \$100,000 per year from state and federal sources.

- Water Conservation – SJRWMD grant to evaluate self-suppliers water use practices*
- Water Quality – EPA grant for water quality outreach and education program*

Land Conservation- Alachua County Forever has leveraged 64% of the cost of the lands purchased on the acquisition list; over \$57 million all told. In addition, ACF has entered into agreements to have partners steward 51% of the acreage acquired saving the County an estimated \$250,000 annually. Staff will continue to be a leader in leveraging conservation funds from federal, state and private sectors to maximize the effect of the local dollars. This will be more difficulty as the State has not fully funded the Florida Forever Program and its recipient agencies for the last three years. This severely limits our leveraging opportunities since 80% of the leveraged funds are derived from state sources.

Investigating methods for donations and possibly fees using social media and mobile apps.

(e) Will other non-traditional sources of revenue be sought in the future? Foundations? User fees? New areas in Federal or State budgets?

8. (p. 9) Why will the percentage of funds from outside sources drop in FY 12 and why will collection rate of hazmat fees drop so markedly? Are the hazmat fees significant?

Hazmat fees fund 50% of the County's Hazardous Materials Program. Four years ago the Hazmat billing process was transferred from the County's F&A Department to EPD. During that time we achieved significant increases in the fee collection rate. Due to budget cuts the billing process was transferred back to F&A and we anticipated a significant drop in the collection rate. Luckily, we were wrong and the drop has not been as significant as we anticipated.

9. (p. 9 et seq). There are a bunch of percentages applied to various tasks.

- (a) Who is doing the ratings? These ratings vary quite a bit, although in many cases, the lowest values are found in FY 2011. Is this because the fiscal year wasn't over when the document was written, or was 2011 a particularly inefficient year?

The "ratings" are the measureable results for the performance measures for each program area. The measured results are provided by the program managers in each program area. The FY2011 results appear to be lower than the FY2010 results since they only represent a partial year in most cases. The data for this report is only from the close of the budget process which is in May. The fiscal year ends in September.

- (b) (p.11) The document states that between 76-100 water quality code violations are identified and corrected annually. Please describe in general terms what these are.

Water Quality Code violations include illicit discharges and spills (wastewater, hazardous materials), sewage spills, vehicular accidents and discharges from construction sites.

- (c) Does it make sense that you continue to have more people allocated to clean-up of petroleum-contaminated sites than either natural resource protection or water quality?

The staffing FTE presented for the Petroleum Management program is incorrect in this budget report. There has been a 2.0 FTE reduction in staffing in FY11 due to a reduction in state funding. There are currently only 3.44 FTE in this program with 1.25 FTE in the Storage Tanks Compliance and 2.44 FTE in Petroleum Cleanup. The staffing levels for this program are dictated by the workload and funding provided by the state contracts.

Recent staff cuts in the NR program are a result of required budget reductions based on available funds in the MSTU and GF and not necessarily based on workload needs. Up until FY11, the NR program was the only program in EPD that was funded with MSTU funds; therefore, MSTU cuts had to come out of the NR program. However, because development activities have decreased in the last few years, staff has been able to keep up with our primary responsibilities to review of development applications (DRC, ZAPS, CPA, PAS, & BOA), respond to public & agency inquiries, and resolve complaint-driven enforcement cases. The areas that we are not handling at full capacity because of our reduced staffing levels are in compliance review and enforcement.

January 18, 2012

TO: Chris Bird, EPD
FROM: Bob Palmer, EPAC (371-4093)
SUBJ: Background Questions for Review of EPD

EPAC is about to launch its oversight of EPD, with two program reviews scheduled for the February meeting and two more to follow in all likelihood in March. We will also be soliciting views from outside sources regarding EPD's performance.

It would be very helpful to us, as we begin this review, to get answers from EPD on a number of budgetary and programmatic areas (see below - all page numbers refer to the document "Alachua County Government – FY 2012 Adopted Budget and FY 2013 Planned Document"). We can do this one of two ways – you can provide written answers, or I could interview you by phone or in person.

We don't want this to be a burdensome request. If you choose to provide written answers, please feel free to keep the answers as short as seems appropriate in conveying the basic information. In any event, it would be most helpful to get answers to these questions at least a few days prior to the next EPAC on February 7.

Thanks much for your help on this.