

## **Technical Advisory Group**

**2/15/08 Meeting Minutes**

**9AM to 11:30AM**

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ATTENDEES: Marty Armstrong, Chuck Courtney, Tom Crisman, Derek Doughty, Scott Emery, Rhonda Evans (via phone), Eric Fehrman, Ann Hodgson, Alberto Martinez, Dale Meryman, Mark Sramek

EPC ATTENDEES: Chris Cooley, Rick Muratti, Pete Owens, Bob Stetler, Kim Tapley, Mike Thompson

HANDOUTS: Agenda  
CEAC Sunshine Law Document  
Proposed Process (taken from PowerPoint slideshow)  
Draft Basis of Review (BOR) Outline

Rick Muratti (EPC Attorney) presented and discussed the Citizen Environmental Advisory Committee (CEAC) Sunshine Law document and how the Sunshine Law relates to the TAG members. A more specific Sunshine Law document for the TAG will be created and distributed within the next few weeks. Members cannot email each other with discussion of topics. Members may email a staff person and that person can compile the information and post it online. The staff person contact is Kim Tapley.

It was suggested that when the committee members review the white papers and/or proposed rule revisions that they use tract changes in the word document. Another option would be to use footnotes.

Bob Stetler discussed that the ultimate goal of the sub-committees is to produce a white paper with pros and cons of proposed changes to EPC Wetland Rules and or policies. This paper is then going to be given to the EPC staff for their consideration of any changes. Currently, the process sub-committee members are making proposed revisions directly to Ch 1-11, this product will be difficult for staff to review because there would be no pros and cons of the rule changes to review. The final product should be in a white paper form with the various pros and cons of the proposed new policies and or rule changes. This will allow the staff to address different aspects of concerns.

Process sub-committee had previously discussed some topics and created two documents: 1) meeting minutes (11-29-07) from discussions of those topics and 2) Chuck Courtney's draft position paper. Process sub-committee discussed members drafting their own Ch 1-11, having them all posted and then create a white paper (with the pros and cons) based upon the draft changes.

TAG discussed the EPC Staff's draft Basis of Review outline. The EPC staff's draft of the reasonable use definition is not complete, but as soon as it is it can go to the TAG for their review and discussion. Committee discussed where each sub-committees' topics might be added into the BOR or Applicants Handbook. BOR will be locked in as part of

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the rule and the Applicants handbook could be more fluid and might need to change overtime.

Discussion was started on the issue of members not having the time to weigh in their comments on certain topics being discussed within other sub-committees. Many of the topics the Process sub-committee is tackling will be in the BOR. It was suggested that having sub-committees would no longer be an effective means to obtain a finished product. It was determined that it will be much more efficient not to have sub-committees meet, since most of their fact finding should be completed and full discussions can begin.

EPC staff is reviewing other governmental agencies nation wide to compare/contrast the current policies and possible insight for future changes. Some members felt that staff should review governmental agencies only in Florida. It was pointed out that there are not many, if any that staff is aware of that are in Florida.

TAG discussed outside sources to come and talk to the TAG within the next few meetings, such as Clark Hull (SWFWMD) and someone (yet to be determined) from ACOE.

TAG discussed the defining reasonable use. Bob Stetler noted that the charge of EPC staff was not to change reasonable use in the rule, but to define the term. The TAG will review/comment on the definition.

May is the current deadline for EPC staff to present BOR to the Board. Some of the TAG members suggested extending the deadline to the EPC Board.

Sub-Committees summarized their progress, thus far.

Mitigation sub-committee is comprised of Ann Hodgson, Lee Cook, Tom Ries, Mark Sramek and Scott Emery. Merged document of pros and cons of topics has already been posted. Two main topics that they are discussing, Mitigation Process and Mitigation Banking. ACOE representative should be invited to discuss Federal mitigations rather than a formal presentation. ROMAs and some new proposed Federal rule language were discussed. BOR could include encouragements for more mitigation banks in Hillsborough County. Currently mitigations can only be done within the county limits, not the drainage basin limits. This restriction is from a legal standpoint, not an environmental standpoint. The state and not so much the county may hinder the development of new mitigation banks. Large banks would not be beneficial to the environment if the impact was in Carrollwood and the bank was in Cockroach Bay for example. Another option is to over mitigate a site and use the extra mitigation for future projects. A few of these examples are already occurring in Hillsborough County. The Mitigation Sub-committee will be continuing to add to their white paper within the next few weeks. Any other members of the TAG are encouraged to add their input as well.

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Classification sub-committee is comprised of Marty Armstrong, Tom Crisman, Jason Mickel and Alberto Martinez. The sub-committee discussed their view on taking a functional approach rather than a structural approach. The functional evaluations should be moved up in the review process as early possible. Then try and put the project site within a regional context.

Committee discussed ditches and their storage/conveyance of water, then having that ditch claimed as a wetland. Within the Chapter 1-11, Rules of the EPC upland cut ditches can be maintained under section 1-11.10, Miscellaneous Activities in Wetlands. Also this sub-committee discussed UMAM plus. Additional value could be added for UMAM scores of very pristine/rare wetlands. This brought up the discussion of Significant Wildlife Habitats and Critical Wildlife Habitats.

Since there are only three more meeting scheduled before the May deadline, it was suggested that the TAG meet more often to try and succeed with the discussions and the current May deadline. It was decided to keep the regularly scheduled third Friday of every month and to add some night meetings. The new additional meeting will be from 6pm to 8pm on 2/28/08, 4/3/08 and 5/1/08. In addition topics will be assigned to each meeting and the white papers can be drafted in the meetings.

Meeting adjourned.