

Draft, for Review by Sub-committee members

To: Bob Stetler

From: Derek L. Doughty, P.E.

Date: 05/08/08

Re: Summary Notes - Process Sub-committee (PS-c) Meeting on 05/07/08

Present: C. Courtney, D. Doughty, S. Emery, T. Neldner, D. Meryman, S. Gran
EPC Assistance provided by Bob Stetler.

Meeting began 6:03 pm:

Discussion began with a handout of a draft white paper which attempted to blend C. Courtney's 12-14-07 position paper and S. Emery's 4-27-08 strawman paper into a final product.

Committee agreed that the charges from EPC, as depicted in the draft, were correct.

Applicant Handbook was discussed briefly. Committee noted that at no time had the charges under the handbook been brought before the committee and that it was too late to debate it at this time.

Delineation was discussed as per previously agreed upon concepts of trust between agencies. Hydroperiod determinations were suggested to be added to the MOU and trust component for this charge. EPC Staff noted that they were notified and invited by SWFWMD to attend delineations, that it was good for them to know what was occurring, but not their intention to "tag along". Committee agreed that description in white paper was consensus with the addition of words to the effect of "neither necessary, nor desirable for either agency to accompany the other once one agency has taken the lead.

Committee agreed that the labeling should be "State Wetland Line"

Committee agreed that reference in white paper should be to EPC SWFWMD/FDEP delineation.

Process and Timing with WMD was discussed. Committee recommends EPC incorporate District time frames into their review time frames. Basically, follow the format of the agency delegating/requesting the effort. Committee agreed to add words to the affect of "provided EPC has been provided information in a timely manner"

Process and Timing with PGMD/Municipalities was discussed. Committee opined that EPC should exert jurisdiction consistently to ALL municipalities. Suggested that EPC should incorporate the municipalities review time frame in connection with any review which proves necessary for EPC to be involved in. Land Development Code was identified as a potential template. Committee suggested the inclusion of language to the effect of "All municipalities within EPC Jurisdiction should establish a process by which EPC could equitably be involved in review of construction plans.

Setbacks were then discussed. Previous discussions limited to minutes which state Natural Resources should not request EPC involvement. Pointed out that our charge lies with EPC, not NR, therefore how to address the issue. Bob Stetler indicated EPC had completed this portion of the Applicant's Handbook and would e-mail the language to the committee for review prior to May 12, 2008 Process Committee Meeting. Subject was shelved to that meeting.

Reasonable Use was then discussed. Committee noted that future land use and "Net Environmental Benefit" and definition language modifications had been discussed, but not implemented. Minimization, avoidance were discussed. Committee suggested the definition of Reasonable use be reworded slightly and suggested an l) and m) be added to the list for Future Land Use and Net Environmental Benefit. Future discussion shelved to May 12, meeting.

Review Criteria was discussed briefly. Committee noted that at no time had the issue of checklists or criteria been brought before the committee and that it was too late to debate it at this time.

Rezoning/construction plans/land alterations and Fees were then discussed at length. Committee agreed that without backup data, the dollar values of fees can not be addressed and discussion centered upon activities.

Activities were identified which provide actual construction approval, thereby authorizing impacts to wetlands. (Land Excavation, Subdivision Application, Phosphate Mining, Commercial Site, Natural Resources Other, Miscellaneous Activities, Minor Site Plan) These activities were noted to need to follow review time frames as discussed earlier. Pre-application meetings were suggested for these activities, with minutes of the meeting kept and "rebuttable presumptions" provided whereby applicant's can "rely" upon the direction obtained from EPC. Committee questioned the high cost of the "renewal/extension" fee when compared to "new" fee for Land Excavation.

Committee discussed as-built verification.

The remaining activities for which EPC charges a fee were then discussed. (Zoning, DRI, Land Use Amendment, etc.)

Committee suggested EPC should be aware of the location, high priority systems, connectivity and special consideration areas of the wetlands within Hillsborough County. Special Issues with project wetlands should not occur "after" applications. Committee discussed taking EPC out of review process vs leaving EPC in. Zoning Approval Letter discussed, areas where non-reliant information provided highlighted. Committee agrees that if applicant is paying a fee, then they should be able to rely upon comments. Committee questioned the delays in project timing if non-reliant, non-binding information is being provided to applicants.

Committee suggested conceptual application process be structured to allow for applicants to provide details of projects at earlier stages and receive “rebuttable presumptions” from EPC which can be relied upon during future stages of design should they choose to do so. Fees should not be charged if responses cannot be relied upon.

Process and Timing (Planning Commission) was discussed briefly. Discussion centered upon “technical ability” of EPC staff to provide comment. S. Emery to draft portion of white paper.

Project prioritization was mentioned. Meaning was unclear and not known.

Meeting adjourned 8:10 pm:

This “Process Sub-committee will meet Monday, May 12, 2008 at 6 pm at the EPC upstairs conference room.

End draft summary notes