Position Papers
Internal/External Process Subcommittee

INTRODUCTION
During the initial, formulating meeting of the Advisory Group (AG), EPC staff asserted a plan of implementing the actions of the committee which would be based on subcommittee recommendations on selected topics to the whole group. In this meeting Process was a requested topic addition from the AG. Subcommittees were formed for the topics presented by EPC staff as follows: External Processes (EPS), Internal Processes (IPS), Mitigation, Agriculture and Wetlands Classification. EPC staff selected who, among those AG volunteering to be on a subcommittee, who would be members and who would be labeled “other interested parties”.

Initial membership in the IPS included: Scott Emery, Chuck Courtney, Pete Hubbel, Wayne Richardson, Steve Gran, Tim Neldner, and Derek Doughty. Initial membership of the EPS included: Alberto Martinez, Dale Merryman, Rhonda Evans, Eric Ferman, Patricia Metz. Each subcommittee met once and both simultaneously decided that their segregated efforts from the opposing process subcommittee would be wasted, and both subcommittees asked to be combined into one Process Subcommittee (PS). The combined PS met on 11/29.

Based on the original charges by EPC staff to the EPS and IPS, the PS was to prepare develop position paper(s) INCLUDING PRO AND CON COMMENTS on the following subject areas:

**With PD(G)MD. Municipalities:** Setbacks, Rezonings, Construction Plans, Process and Timing, Land Alteration/Excavation;

**With Water Management District:** MOU, UMAM, Delineations, Process and Timing;

**In Basis of Review:** Reasonable Use, UMAM, Delineations, Review Criteria, Fee Schedule;

**In Applicant’s handbook:** Definition and Terms, Forms and Instructions, Procedures and Processing, Enforcement and Inspections, Criteria for Evaluation, Basin Criteria.

1.1 POSITION- With Water Management District- Delineations:

In the 11/17 IPS meeting a consensus was reached that reciprocity and trust in each other’s delineation should become the norm. Ch 1-11 and it’s references to Section 62-340 F.S. should be revised and phrased to make that a requirement. This trust would then reduce duplication and second guessing of each agency’s efforts at public expense by the other. Neither agency should be accompanying applicant’s on delineations if the other agency has taken the lead in response to a delineation request.

Con Comments
There were none
1.2 POSITION- With Water Management District-MOU

In both the 11/17/07 IPS and the 11/29/07 PS meetings a consensus was reached that an MOU between EPC and SWFWMD should address _joint training in delineation_ of the combined and appropriate staffs of the two agencies be conducted to maximize consistency between the two agencies in the delineation process. This master MOU will undoubtedly cover other topic areas.

Con Comments

There were none

1.3 POSITION- In Applicant's Handbook- Procedures and Processing

In the 11/29/07 PS meeting a consensus was reached that the EPC/SWFWD wetland jurisdictional delineation process defines a “State” wetland line (not an EPC or SWFWMD line) and that there is no comparable MOU opportunity for reduced duplication with the ACOE on a federal line. Nevertheless, the 2 separate procedures should be mentioned in the Applicant’s handbook to inform the public and EPC staff should stay abreast of the federal process.

Con Comments

There were none

1.4 POSITION- In Basis of Review- With PGMD, Municipalities- Process and Timing

In the 11/29/07 PS meeting a consensus was reached that the EPC should incorporate the state’s time frames for all reviews that cross-over through MOU’s or Rule revisions with SWFWMD and that the EPC should incorporate all PGMD time frames for it’s reviews in connection with county processes. EPC should be in synch with each municipality’s review time frames for any review that it proves necessary for EPC to be involved in. The timeliness of EPC reviews and their cost have been a longstanding issue with their client base and this is one of the chief reasons for customer dissatisfaction with EPC. It is assumed that the Basis will be adopted by reference as a part of Ch 1-11. Time frames should also be spelled out in the Applicant’s Handbook.

Con Comments: ???
2.0 SUGGESTED MODIFICATIONS THE CH. 1-11, MOU Language, Applicant’s Handbook Language, Basis of Review Language

2.1 With Water Management District- Delineations:
2.1.1 Modify section 1-11.04 to fully reference Section 62-340 F.A.C. and,
2.1.2 Modify Para 3 of this section as follows: **Delineations made by SWFWMD or FDEP upon interpretation of aerial photography which are subsequently modified by future on site inspection by either agency shall be binding upon EPC;**
2.1.3 Modify the first sentence in Para 4 of this section as follows:
**Delineations pursuant to a formal determination by FDEP or SWFWMD permit shall be binding upon EPC for the duration of the permit.**

2.2 POSITION- With Water Management District-MOU
Add to master MOU with SWFWMD - Joint/group, EPC/SWFWM staff training in the delineation of wetlands should occur on a regular and continuing basis with each agency hosting the training in alternate years. Training should be designed to provide consistency of the application of Section 62-340 F.A.C. Training subject area experts should include: a hydric soils expert, a wetland plant taxonomy expert, a wetland hydrology expert and general field and office practices. The frequency of training should be designed to assure that new staff are trained before dealing with applicants in the field, and that existing staff are refreshed on a less frequent basis.

2.3 POSITION- In Applicant’s Handbook- Procedures and Processing
Add to master MOU with SWFWMD - Both agencies will insure that line type legends depicting delineated wetlands shall refer to “Section 62-340 F.A.C. wetland line”. Each agency which conducts a delineation and certifies it, will provide the other agency with a courtesy copy.
Add to EPC SOP- The Wetlands Department Manager shall insure that staff are generally kept abreast of the general differences between State and Federal wetlands.
Add to Applicant’s handbook- The EPC and SWFWMD utilize the State of Florida’s delineation of wetlands. Both agencies will be able to individually conduct and certify wetlands delineations within Hillsborough County and both will accept the other agency’s certified delineation for purpose of carrying out their individual rules mandates. If an applicant utilizes SWFWMD for the delineation, the applicant shall insure that a copy has been or is provided to the EPCHC for their files along with the issued SWFWMD permit or certifying approval letter.

2.4 POSITION- In Basis of Review-
With PGMD.Municipalities- Process and Timing
EPC staff should list PGMD, State and Municipality time frames in tables of the Basis and Applicant handbook.