

**Follow-up Questions from March 6, 2012 EPAC Meeting  
For Gus Olmos, John Mousa, and Steve Hofstetter**

Hazardous Materials, Petroleum, and Pollution Prevention

1. Is it accurate that 3-5 petroleum-contaminated sites are cleaned up per year, and that 250 of 420 reported petroleum-contaminated sites are now clean? If so, does that mean it will be 30-50 more years before all these sites are cleaned up?

**The actual average number of petroleum contaminated sites that have been cleaned up by ACEPD Petroleum Program has been about 5 sites per year. It is accurate that approximately 250 out of 420 petroleum clean-up sites have been cleaned up since the start of the program. Recently, FDEP has started an initiative to quickly investigate the many sites in the petroleum clean-up program that are considered to be low priority sites many of which may currently have contamination levels below levels of concern to groundwater. If the low contamination level is confirmed, these sites will be quickly cleaned-up. Therefore the rate of sites cleaned-up is expected to increase in the next few years. Based on the expected increased rate of site closure expected in the next few years due to the site screening effort and the remaining sites in Alachua County, it is estimated that it will take approximately 15 to 20 years to completely clean-up all sites in the County.**

2. How much pharmaceuticals/medicines are collected at your drop-off locations?

**Approximately 85 to 100 pounds per month of pharmaceuticals and unwanted medicines are collected from 22 drop off locations in the County.**

3. Alachua County has Petroleum Clean-up and Storage Tanks Compliance contracts with FL-DEP. What budget reductions do you expect from the State for these programs?

**FDEP funding for ACEPD contracts for Petroleum Tanks Compliance and Petroleum Clean-up Programs has been decreasing in the last several years. This is primarily due to the state budget problems related to the economy and the recent conversion to double wall tanks for underground fuel storage requiring less frequent inspections. There was early concern that FDEP funding for the Tanks Compliance program would be eliminated or significantly reduced by 40% in the FY13 state budget. However based on the recently passed state budget, it appears that funding for both the Tanks and Clean-up programs will be similar to current year funding. Final impacts if any will not be known until later this year when final funding is received from FDEP.**

4. Were more resources available, you indicated in previous answers that the Pollution Prevention Program would enhance outreach to businesses and the community in the use of more sustainable and less polluting hazmat practices, in reducing electricity and water usage, and in promoting recycling and reuse. Describe briefly what you have in mind by this outreach.

**The primary focus of the proposed enhanced outreach would be to provide information and education to residents in Alachua County on the use of less hazardous and “greener” household products, identifying the hazards of everyday chemicals and the encouragement of proper disposal and recycle of household hazardous wastes to minimize impact on the environment. This outreach would supplement limited existing ACEPD efforts in the hazardous material education area directed toward small businesses and residents by the Hazardous Materials Management and the Hazardous Waste Collection Programs. The proposed enhanced outreach is also intended to supplement the efforts of ACEPD’s current water conservation program by disseminating literature and information on water conservation to the general public. It is not intended that this program would duplicate Gainesville Regional Utilities energy reduction programs.**

5. You collect \$220 K/yr in hazmat fees. Are these assessed based on the size of the business, on amount of waste generated, or by some other measure? Do you hear gripes about either cost or intrusiveness?

**The fee are structured according to the size of business, the anticipated volumes of hazardous materials to be stored, complexity of the hazardous materials storage facility, and potential for discharge (typical examples are listed in the Hazardous Materials Management Code). Facility fees range from \$52.00 to \$633.00 per year. Hazmat fees have been in effect since 1991 and to my recollection they have not been a significant source of complaints from the regulated business.**

6. Your budget notes that there are 450 hazmat inspections per year. As compliance increases, do you expect that this number will decrease? Roughly what percentage of the inspections reveal non-compliance or violations? What do you do about these violations?

**The total number of inspections has decreased over the years and I do expect that trend to continue, however in order comply with FDEP guidelines, we need to inspect at least 20% of the regulated facilities per year.**

**Below is the percent of inspections with violations for the past 6 years:**

	2006	2007	2008	2009	2010	2011
<b>% of out of compliance facilities</b>	<b>32</b>	<b>30</b>	<b>43</b>	<b>31</b>	<b>23</b>	<b>39</b>

**Violations must be corrected within a maximum of 30 days. If possible, we try to have violation corrected during the inspections. If violations are not corrected within 30 days we have the option of issuing warnings, civil citations or referrals to FDEP and the State Attorney.**

7. Has hazmat collection (pollution prevention) increased in recent years? What are the trends?

**The actual number of pounds of hazardous materials that is disposed off or recycled over the last 5 years has not shown an increasing trend but averages around 1.7 Million pounds annually. However, the number of residential and business customers utilizing**

**the services of the Hazardous Waste Collection (HWC) Program has increased by 27% over the last 5 years. The leveling off of the weight of hazardous wastes having to be processed by the HWC in the last 5 years despite increasing participation by the public is linked to several factors including 1) the increased amount of useful household and automotive products and latex paint that is made available to HWC customers at the HWC center reuse areas and therefore does not require disposal, 2) a decrease in particular types of special wastes in the last few years such as tube televisions requiring disposal, and 3) an increasing use and availability of less hazardous household products in the market place.**

8. Your budget notes that “new federal grant funding for energy reduction and greenhouse gas reduction projects for County facilities and the local community will be investigated as well as increasing emphasis on collaborative projects and initiatives with the private sector, citizen groups, the University of Florida, the City of Gainesville and other municipalities.” Have you applied for any grants in this area?

**ACEPD has not applied for energy reduction or greenhouse gas reduction grants as a division or department. We have assisted the County Sustainability program in applying for federal grants in area of energy reduction for low income households and in utilizing internal county facility tracking software to monitor electrical and other utility usage. We continue to be open to working with the community on collaborative projects and initiatives as staffing resources allow. We anticipate that constrained staffing and budget conditions will limit the ability for ACEPD to apply for grants in the greenhouse gas reduction area in the future.**

### Natural Resources

1. You require “all applications for proposals with potential adverse impact to natural or historic resources” to have an “assessment of natural and historic resource information.”
  - What criteria are used in determining which proposals might have “potential adverse impact” and therefore require an assessment – i.e. does Chapter 406 of the LDRs apply to all developments or just developments over a specific size? Do they apply to relatively minor projects – e.g. someone wants to build a house in the woods on their 10 acres?

**Development applications requiring DRC approval (most subdivisions and commercial developments, or applications in excess of a simple building permit or administrative permit) are required to complete the environmental resources assessment checklist (and may include a report) regardless of project size. If the project is proposing new development and the subject property includes regulated resources, then usually a short environmental assessment report that complements the checklist is also submitted. There are exemptions for projects that are considered to have minimal impacts. Examples include requests for a change of use of existing structures, or projects that do not require new external construction. This minimal impact determination is often made by county EPD staff upon request by the applicant. Development activities that**

**only require an administrative permit (i.e. building permit) are assessed by county staff through the pre-application process (PAS) at no charge to the applicant.**

- What is the range of cost for these assessments? Who performs them?

**At the administrative permit level, staff completes the assessment at no charge to the applicant. Large scale projects submitted to the DRC are required to submit the environmental resources assessment checklist, and where resources are present, a report is typically included with a description of resources and strategies for protection. This report is typically written by an environmental consultant and the cost is variable depending on project size and whether if wetlands, upland habitat or other conservation features need to be delineated. The costs generally range from a few hundred dollars to several thousand dollars for large projects.**

- Is there evidence that the requirement for environmental assessment is restricting development, particularly on the East Side?

**We are not aware of any specific examples where the requirement to assess a project has restricted development in the county, nor specifically the East Side. The assessment costs are relatively low compared to the overall cost for most developments and small scale projects are usually assessed by staff for free.**

- Is there any evidence that Plum Creek's plans for development have been slowed by EPD's environmental requirements?

*Clarification: These requirements are the County Commission's requirements based on the Comprehensive Plan and the Land Development Code, not departmental requirements.*

**No, we are not aware of any formal development projects submitted by Plum Creek in unincorporated Alachua County. One large-scale project we are familiar with was the Land Mar/SR121 project that was within the City of Gainesville. We know Plum Creek is investigating development opportunities in eastern Alachua County through *Envision Alachua*, but no development applications have been submitted.**

- Are the assessment requirements significant enough to funnel development to the County's municipalities?

**The requirement to assess a property for environmental resources would not be significant enough to funnel development to municipalities; however, most municipalities have higher density allowances, no upland protection requirements, and smaller wetland buffer standards than Alachua County, all of which (along with many other factors) may influence a decision to stay in the county or annex into a city. The City of Gainesville is currently considering adopting strategic ecosystem and upland habitat protection standards similar to county's standard, which, if passed, would minimize the potential influence of environmental regulations on funneling**

**development to the city or seeking annexation for properties adjacent to city boundaries.**

2. You have stated that "... 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." Please elaborate. Does this needed outreach extend beyond the monthly meetings with the Builders Association and the free assistance that you offer to single-family developers/builders?

**Keeping information up to date and educating the public in general is an ongoing and never ending task. Our day-to-day activities often include talking with individual citizens that contact us or submit requests for development activities, but there are many citizens that have few opportunities to interact with the county. There are also realtors, small scale developers and builders, and contractors/developers not from Alachua County that are not as familiar with our safeguards and process requirements or have not had projects in the past that had potential adverse impacts on resources. These individuals need to be educated or refreshed on our county standards. Being proactive, educating and reaching people before they impact resources is a lot cheaper for both the property owner and the county than trying to resolve or correct a violation after-the-fact. We try to reach more of the public by holding workshops, giving presentations to organizations and home owner associations, writing articles, and having a presence at local events.**

3. Over 7000 permits have been reviewed since 2006. What are these for, by category?

**These are all administrative level permits that include permits for new homes, home additions, pools, docks (below 1000 sq. ft), well installations, mobile home replacements, sheds, patios, and home demolitions.**

4. Answers that you previously provided indicated that since 2006, you have responded to 3,100 citizen and agency inquiries and that only a small number of these have been complaints. How many, roughly? Are there common themes to the complaints?

**Our current tracking tool does not separate complaints from inquiries and we are only able to make an educated guess on the frequency of the types of complaints. Most citizen inquiries can typically be placed into four categories – (1) complaint about an activity impacting regulated resources (i.e. tree cutting, vegetation clearing, filling wetlands, burying gopher tortoise burrows, etc...), (2) request for information or determination of what is allowed on a property or within a resource, (3) general information about natural resources (i.e. concern about snakes, gators, tortoises), and (4) information about resources on a property before purchase (or sale if from a realtor). Most agency inquiries are related to a need for coordination or information about local environmental requirements, resources on development sites, or a need for collaboration or contact information.**

5. How often have you taken regulatory action (fines, lawsuits, mediation) on existing properties? On development projects?

**We had approximately 150 wetland violation cases from 2006 to 2011, 15 (10%) of these went to the Code Enforcement Board for resolution and fines. Most violations are corrected through direct coordination with the property owner to restore the impacted area and development of a management plan and protection strategy.**

6. Have the low-impact development code options been used?

**We have had projects incorporate LID techniques in their design but we have not yet had a project submit LID for open space credit. Projects with LID include NW140 Terrace (green street), Campus USA Headquarters (curb cuts, bioretention, recessed parking islands), CVS (pervious parking), Fire Station #17 (underground water tanks for reuse), Comfort Suites and Residence Inn (Atlantis rain tanks).**

7. Will budget cuts in the Water Management Districts and State environmental agencies increase your workload? How will they affect coordination of environmental reviews and enforcement?

**It is not clear yet whether it has impacted our workloads in the Natural Resources Program but we expect that it will. We anticipate a reduced presence from state environmental agencies, which could potentially lead to slower response times, longer project review times, and coordination difficulties related to increased workloads for the remaining state staff. Enforcement of some wetland violations that require state agency collaboration might fall completely to our department for resolution or cause a delay in our ability to coordinate responsibilities and requirements, all leading to the potential for increased environmental degradation.**

8. Will the new legislatively adopted agricultural exemptions affect the County's LDRs?

**Excluding existing wetland protection and floodplain regulations, the county cannot adopt or enforce any regulations or policies that prohibit, restrict, regulate or otherwise limit an activity of a bona fide farm operation on land classified as agricultural land (pursuant to S 193.461) where such activity is regulated through implemented best management practices (BMPs) (F.S. 163.3162 Agricultural Lands and Practices Act). Recent legislation has also exempted nonresidential farm buildings, fences, and signs from local code requirements.**

9. You have provided useful information on the size of natural resource divisions in various Florida counties. Do you have any data on the speed and cost of permit approvals in these counties? Do you have such data relative to municipalities in Alachua County?

**We do not have any data on the speed of permit approvals from other counties or municipalities in Alachua County.**

10. In your briefing, you mentioned memos dealing with duplication (or lack thereof) of environmental reviews. Please provide these.

**This information has been posted to the EPAC webpage located under Environmental Protection at <http://www.alachuacounty.us/Depts/EPD/Pages/epac.aspx>**

*EPAC – ACEPD Review (Haz + NR Questions)*