

Board of County Commissioners

Modifying Composition & Representative Membership of the Environmental Protection Commission (EPC)

**Proposed Amendments Chapter 15, Article II
Sections 15-30(a) & 15-30(c)**

Public Hearing

January 28, 2025



Agenda

- Background
- Proposed Ordinance Amendment
- Summary
- Next Steps
- Action Requested



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Background

- EPD received questions about operation & composition of the EPC from D1
- Staff reviewed historical EPC actions, evaluated member roles and advisory board composition
- EPD and OCAO presented staff findings to EPC and MMRB (2024)
- EPC and MMRB recommendations were compiled and presented to BCC on July 9, 2024 (Worksession)
- BCC directed staff to propose ordinance updates
- First public hearing conducted October 30, 2024 (EPC)
- Second public hearing January 28, 2025 (BCC)

- **EPC current composition and representative membership role:**
 - Professional Engineer
 - Agricultural Interests
 - Recognized Environmental Conservation Organization
 - Two Representatives of Private Businesses or Municipalities
 - Environmental Specialist
 - Citizen Representative (aka At-Large Representative)



Background

- **Summary of the Duties and Powers of the EPC:**
 - Evaluate new rule proposals and existing rule revisions, make recommendations to BCC
 - Review staff recommendations for appropriate fees to be charged by the county for the services
 - Hold public hearings on appeals of staff decisions regarding environmental permits, make recommendations to BCC
 - Make recommendations to the BCC regarding improvements to the natural resources and environmental issues



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Proposed Ordinance Amendment

■ Sec. 15-30 - Same—Organization.

(a) The Orange County Environmental Protection Commission established pursuant to this act [article] shall consist of seven ~~(7)~~ members appointed by the board of county commissioners and shall comply with chapter 2, article VI, creation, operation, review of advisory boards, of this Code.



Proposed Ordinance Amendment

■ Sec. 15-30 - Same–Organization.

(c) The composition and representative membership of the commission shall be as follows:

- (1) A representative who is a professional engineer ~~registered~~ **licensed** in the state, **pursuant to the requirements of Chapter 471, Florida Statutes, as amended from time to time,** with experience in the field of ~~civil~~ engineering ~~or environment~~ **engineering; that is relevant to the duties and responsibilities of the commission**
- (2) A representative of **the** agricultural ~~interests~~ **industry** actively engaged in agricultural operations, **such as, but not limited to, bona fide farming, pasture, grove, or forestry operations, including horticulture, floriculture, viticulture, dairy, livestock, poultry, bee, and aquaculture;**
- (3) A representative of **a** recognized environmental conservation organizations;



Proposed Ordinance Amendment (continued)

■ Sec. 15-30 - Same–Organization.

(c) The composition and representative membership of the commission shall be as follows:

- (4) ~~Two (2)~~ A representatives of a private businesses or municipalities ~~y~~ who ~~are~~ is directly regulated, affected ~~and~~ or subject to the provisions of this act [article];
- (5) A representative who is an environmental specialist with a degree in a scientific field and specific knowledge of aquatic biology, zoology, botany or other similar related field;
- (6) A Two citizen representatives s of the interest and point of view of the general public for the effective and continuing protection of the environmental quality of the air, water, and land in the County ~~and not directly regulated or affected by the provisions of this act [article].~~



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Summary

- Ordinance update better defines member roles/selection criteria
- Number of EPC members remain at seven
- MMRB and EPC have been briefed on proposed updates
- No public comments provided at first public hearing
- Appointments & Reappointments for EPC representatives remain on hold pending BCC approval of the proposed Ordinance



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Next Steps

- **Ordinance updates approved**
 - **Effective Date pursuant to general Law** (typically within 10 days)
 - **Membership and Mission Review Board (MMRB) proceed:**
 - **Fill vacant EPC member positions** (Citizen Representative (2), Agricultural Interest)
 - **Reappoint EPC members with expired terms** (Regulated Business or Municipality, Environmental Specialist, Professional Engineer, Recognized Environmental Conservation Organization)
 - **MMRB collaborate as needed with EPD during vetting process**



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Action Requested

- Approval of the Proposed Ordinance Pertaining to the Composition and Representative Membership of the Environmental Protection Commission; Amending Section 15-30, Article II, Chapter 15, Orange County Code of Ordinances; Modifying the Composition and Representative Membership of the Environmental Protection Commission; and Providing an Effective Date. All Districts.

and

- Authorization for staff to correct any non-substantial grammatical or scrivener's errors within the Ordinance.