



Legislation Text

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Interoffice Memorandum

DATE: June 17, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Tanya Wilson, AICP, Director Planning, Environmental, and Development Services Department

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DIVISION: Environmental Protection Division

ACTION REQUESTED:

Composition of the Environmental Protection Commission (Environmental Protection Division)

PROJECT: Composition of the Environmental Protection Commission

PURPOSE: The Environmental Protection Commission (EPC) is a seven-member County advisory board that, among other duties, recommends revisions and amendments of appropriate rules and regulations necessary for the implementation and effective enforcement, administration, and interpretation of the provisions of environmental regulations under the authority of the Environmental Protection Officer. These standards provide for the effective and continuing protection of the environmental quality of the air, water, and land in the county. Additionally, the EPC holds public hearings on appeals of staff decisions regarding environmental permits, and after publicly discussing the application and taking testimony and evidence from the applicant and public, submits its recommendation on the application to the Board.

On January 27, 2023, the Butler Chain of Lakes Advisory Board (BCLAB) submitted a letter to District 1 Commissioner Nicole Wilson citing concerns about decisions made by the EPC, specifically discussing whether the professional employment of certain members create conflicts of interest, affecting the advisory board's ability to make unbiased recommendations to the Board. On June 27, 2023, Commissioner Wilson requested a Commissioner's Report to discuss these concerns raised by the BCLAB.

On October 24, 2023, Commissioner Wilson presented her concerns to the Board. During the discussion, staff provided information relating to the composition of the EPC and relayed perspective and suggested changes provided by the Membership and Mission Review Board (MMRB). The MMRB is charged with reviewing and recommending prospective members to the County's various advisory boards. Following the discussion, Mayor Demings directed staff to research the issues overall and reengage with the MMRB and EPC for additional feedback and schedule a work session to provide findings and the MMRB recommendations.

On March 5, 2024, EPD staff provided a work session that covered the background of the issues, the history of EPC since establishment in 1965 to present, an overview of historical EPC decisions based on research and analysis by staff, summary of discussions with the MMRB and their recommendations regarding number and expertise of EPC members and suggested potential options for Board consideration. The presentation was informational only, no action was required by the Board. During the work session, several additional questions were raised by the Board related to EPC member composition and Board decision powers and clarification on the sunset provisions. EPD was directed to work with the County Attorney's office to seek additional guidance and report the findings back to the Board.

On July 9, 2024, staff will provide a second work session providing background, research and response to Board member's specific questions from March 5, 2024, regarding EPC status and member composition, and request for Board direction on whether to proceed with updating and revising the existing code Chapter 15, Article II Section 30(c) in regard to EPC organization composition and representative membership of the commission, or Sunset the EPC. This item is for informational purposes only and no action is being requested.

BUDGET: N/A