Pinellas County

Legislation Details (With Text)

File #:	24-0487A	**Version:**	1		
Type:	Contract/Agreement		**Status:**		Passed
File created:	3/13/2024		**In control:**		Public Works
On agenda:	4/9/2024		**Final action:**		4/9/2024
Title:	Air Pollution Control Specific Operating Agreement with the State of Florida Department of Environmental Protection.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. FE_AATF'd Agreement, 2. PE_AATF'd Agreement, 3. AATF'd Agreement, 4. AATF - Current Agreement - Expires 8/31/2024				

Date	Ver.	Action By	Action	Result
4/9/2024	1	Board of County Commissioners	approved	Pass

Subject:
Air Pollution Control Specific Operating Agreement with the State of Florida Department of Environmental Protection.

Recommended Action:
Approval of the Air Pollution Control Specific Operating Agreement with the State of Florida Department of Environmental Protection (FDEP).

- Pinellas County has been in agreement with FDEP under a General Operating Agreement (GOA) since 1986. The GOA stipulates that FDEP enter into a separate Specific Operating Agreement (SOA) for the County's Air Quality Division to act on FDEP's behalf as an approved local air pollution control program.
- The existing SOA will expire in August 2024. The new agreement has been prepared in conjunction with FDEP and largely mirrors the existing SOA. Expiration of the new agreement is in August 2027.
- Per the agreement, the County can provide the administrative organization, staff, financial resources, and other resources necessary to carry out its program.
- As an approved local air pollution control program, the County is eligible to receive a portion of state tag fee monies.
- The agreement is consistent with and included in the Fiscal Year 2024 adopted budget in the Air Quality Tag Fee Fund.

Strategic Plan:
Ensure Public Health, Safety, and Welfare
2.1 Provide planning, coordination, prevention, and protection services to ensure a safe and secure community

Practice Superior Environmental Stewardship

3.3 Protect and improve the quality of our water, air, and other natural resources

Deliver First Class Services to the Public and Our Customers
5.1 Maximize partner relationship and public outreach

Summary:
This Agreement is entered into with the FDEP. The Agreement allows the County's Air Quality Division to act on FDEP's behalf as an approved local air pollution control program. Each party will work together to protect the air quality of the County, according to the provisions of Florida Statues (F.S.), Section §403.182. The Agreement shall remain in effect until August 31, 2027.

Background Information:
On January 26, 1986, FDEP Division of Air Resources Management (DARM) and the County Air Quality Division entered into a General Operating Agreement (GOA). The GOA requires the Secretary of FDEP must further authorize the delegation of specific authorities under a SOA. The SOA specifies the FDEP programs or duties to be conducted by the County Air Quality Division and will include specific terms necessary to clearly delineate each party's right and obligations.

The SOA defines the rights and responsibilities of the County Air Quality Division to act on FDEP's behalf as an approved local air pollution control program under Section §403.182 and §403.087 and the GOA. This SOA recognizes the County Air Quality Division as an approved local air pollution control program for the purpose of Sections §320.03 and §376.60.

Fiscal Impact:
As an approved local air pollution control program, the County is eligible to receive a portion of state tag fee monies. In addition, as an approved local air pollution control program, the County is eligible to receive federal grant monies from EPA through 42 USC Section 7403 (the "103 Grant) and 42 USC Section 7405 (the "105 Grant). Fiscal Year 2023 Tag Fees generated $ 1,206,622.93 in revenue to operate County's local air program.

Staff Member Responsible:
Kelli Hammer Levy, Director, Public Works

Partners:
FDEP

Attachments:
Agreement
Current Agreement - Expires 8/31/2024