



Pinellas County

Legislation Details (With Text)

File #: 20-2406A **Version:** 1

Type: Contract/Agreement **Status:** Passed

File created: 12/29/2020 **In control:** Public Works

On agenda: 1/26/2021 **Final action:** 1/26/2021

Title: Air Pollution Control Specific Operating Agreement between with the State of Florida Department of Environmental Protection and the County.

Sponsors:

Indexes:

Code sections:

Attachments: 1. FE_ SOA Agreement, 2. PE_ SOA Agreement, 3. SOA (Agreement)

Date	Ver.	Action By	Action	Result
1/26/2021	1	Board of County Commissioners	approved	Pass

Subject:

Air Pollution Control Specific Operating Agreement between with the State of Florida Department of Environmental Protection and the County.

Recommended Action:

Approval of the Air Pollution Control Specific Operating Agreement (SOA) with the State of Florida Department of Environmental Protection (FDEP) and the County.

- SOA authorizes County to act on FDEP’s behalf as an approved local air pollution control program to protect air quality.
- The SOA does not award any funds. As an approved local air pollution control program, the County is eligible to receive a portion of State Tag Fee funds without a required match.
- The County, as an approved local program through the SOA, may request federal grant dollars for operating funds in addition to state funds. The agreement term ends August 31, 2024.
- Fiscal Year (FY) 2020 Environmental Protection Agency grant monies generated an estimated \$487,140.00 and FY20 Tag Fees generated \$1,385,088.05 in revenue to operate the County’s local air program. No county match is required. Similar revenues are budgeted for FY21.

Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Strategic Plan:

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 authorizes the County to act on FDEP's behalf as an approved local air pollution control program. Each of the parties work together to protect air quality for the County, according to the provisions of Florida Statutes (F.S.) Section §403.182. The Agreement shall remain in effect through August 31, 2024.

Background Information:

On January 26, 1986, FDEP Division of Air Resources Management (DARM) and PCAQD entered into a General Operating Agreement (GOA). The GOA requires the Secretary of FDEP to authorize the delegation of specific authorities under an SOA. The SOA must specify the FDEP programs or duties to be conducted by the local agency and includes such terms as necessary to clearly delineate each party's right and obligations.

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

Fiscal Impact:

As an approved local air pollution control program and the terms of the SOA, the County is eligible to receive a portion of state tag fee monies pursuant to F.S. Section §320.03(6). In addition, 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"). FY20 EPA grant monies generated an estimated \$487,140.00 and FY20 Tag Fees generated \$1,385,088.05 in revenue to operate the County's local air program. No match is required. Funds are budgeted under the County's Air Quality-Tag Fee Fund and General Fund.

Staff Member Responsible:

Kelli Hammer Levy, Director, Public Works

Partners:

State of Florida Department of Environmental Protection

Attachments:

Specific Operating Agreement