



Broward County

Legislation Details (With Text)

File #: 24-090 **Version:** 1

Status: Agenda Ready

In control: Resilient Environment - Natural Resources Division

On agenda: 3/7/2024 **Final action:** 3/7/2024

Title: MOTION TO APPROVE renewal of the Air Pollution Control Specific Operating Agreement between the Florida Department of Environmental Protection (FDEP) and Broward County, authorizing the Resilient Environment Department (RED) to act on behalf of FDEP to implement state and federal air quality programs in Broward County; and authorize the Mayor and Clerk to execute same.

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Air Pollution SOA

| Date | Ver. | Action By | Action | Result |
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Broward County Commission Regular Meeting

Director's Name: Leonard Vialpando

Department: Resilient Environment **Division:** Natural Resources Division

Information

Requested Action

MOTION TO APPROVE renewal of the Air Pollution Control Specific Operating Agreement between the Florida Department of Environmental Protection (FDEP) and Broward County, authorizing the Resilient Environment Department (RED) to act on behalf of FDEP to implement state and federal air quality programs in Broward County; and authorize the Mayor and Clerk to execute same.

Why Action is Necessary

Section 125.01(1)p, Florida Statutes authorizes the Board to enter into agreements with other governmental agencies. Board action is required for agreement approval.

What Action Accomplishes

This action provides Broward County with continued authority and responsibility to implement and manage state and federal air quality programs in Broward County.

Goal Related Icon(s)

- ☒ County Commission
- ☐ Go Green
- ☐ MAP Broward

Previous Action Taken

None taken.

Summary Explanation/Background

THE RESILIENT ENVIRONMENT DEPARTMENT AND NATURAL RESOURCES DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item supports the County Commission's Value of "building partnerships and working collaboratively with others to meet shared objectives; and the Goal of ensuring accessible, seamlessly integrated investments in renewable energy, sustainable practices, manufacturing, resilient infrastructure, and environmental protection."

The Specific Operating Agreement (SOA) attached as Exhibit 1, establishes the duties and responsibilities of the Local Agency (Broward County) to act on FDEP's behalf as an approved local air pollution control program in accordance with Section 403.182, Florida Statutes. The SOA authorizes the Natural Resources Division to implement and administer state and federal air quality programs including ambient air monitoring, permitting and compliance assurance, enforcement, asbestos inspections, complaint response, mobile source control, and public outreach. The SOA promotes streamlined air quality protection, provides more effective service to the regulated community, and assures more effective compliance. Additionally, the SOA ensures eligibility for the Title V Permitting and Compliance Agreement between FDEP and Broward County. Broward County has successfully implemented and administered the SOA since January 1991. The SOA currently in effect will expire on August 31, 2024; this agreement renewal will remain in effect until August 31, 2027.

Because this is an agreement under which the County is the recipient of benefits from a State agency, it does not include the County's standard agreement provisions. However, this agreement was approved as to form by the Office of the County Attorney.

Source of Additional Information

Monica Pognon, Director, Natural Resources Division, (954) 519-1476.

Fiscal Impact

Fiscal Impact/Cost Summary

The SOA ensures continuity of Broward County's status as a FDEP approved local air pollution control program, resulting in eligibility for the FDEP Title V Contract, in the approximate amount of \$82,000 annually, and eligibility for the Air Pollution Control Trust Fund revenues, in the approximate amount of \$1.4 million annually. In addition, Broward County retains 100% of the fees collected for state air permit application processing and permit issuance, equivalent to an estimated average of \$20,000 annually. The revenue described above collectively fund air quality program activities. Performing SOA activities does not require general fund monies.