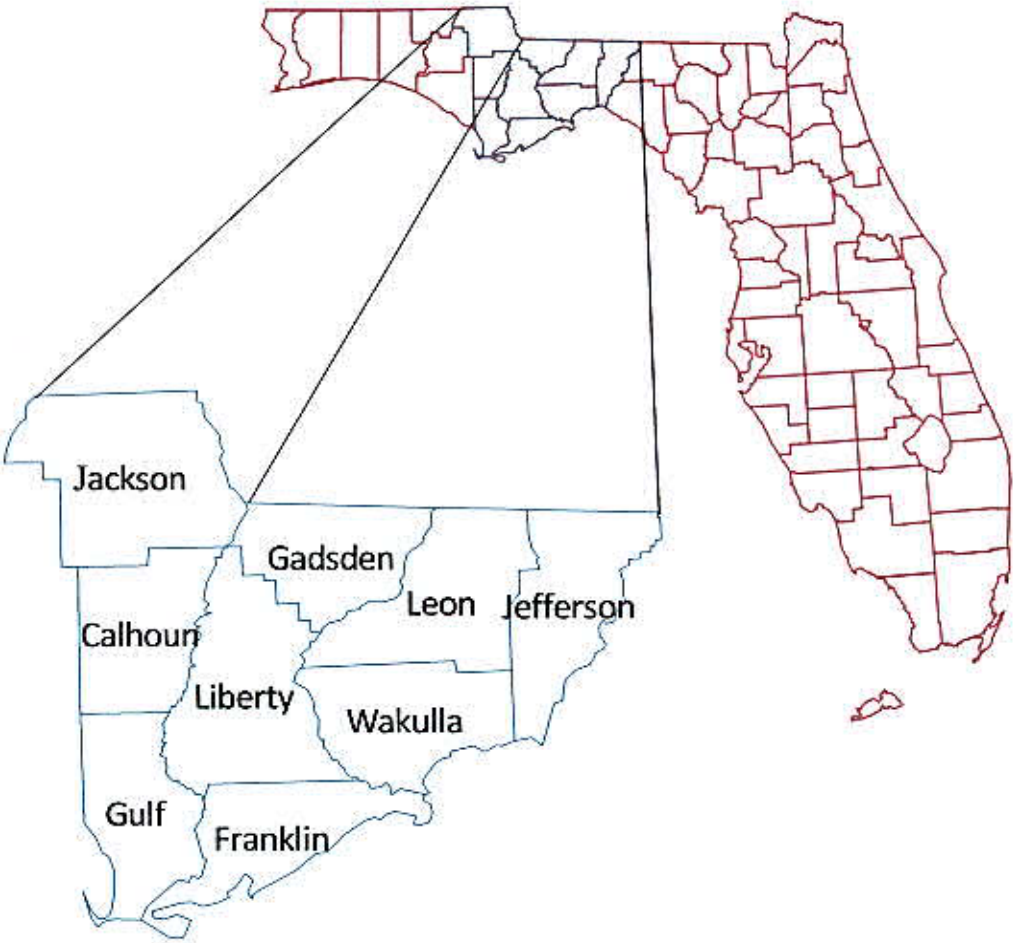
APALACHEE REGIONAL PLANNING COUNCIL

BOARD MEETING

(TWO HUNDRED EIGHTY SIXTH PUBLIC MEETING)

THURSDAY – JULY 25, 2013



HOLIDAY INN HOTEL & SUITES
2725 GRAVES ROAD
TALLAHASSEE, FLORIDA
10:30 A.M. ET - 9:30 A.M. CT

www.thearpc.com

APALACHEE REGIONAL PLANNING COUNCIL
BOARD OF DIRECTORS

JOHN JONES, CHAIRMAN (JEFFERSON)
STEVE CUTSHAW, VICE-CHAIRMAN (LIBERTY)
JANE SAULS, SECRETARY/TREASURER (LEON)
DELORES MADISON, FRCA REPRESENTATIVE (GADSDEN)

Calhoun County	
Darrell McDougald	County Commissioner
Wes Johnston	Mayor, Town of Altha
Vacant	Governor's Appointee
Franklin County	
William Massey	County Commissioner
Calvin Allen	Commissioner, City of Carrabelle
Dawn Radford	Governor's Appointee
Gadsden County	
Brenda Holt	County Commissioner
Delores Madison	Commissioner, City of Midway
Henry Grant	Governor's Appointee
Gulf County	
Joanna Bryan	County Commissioner
Tony Justice	Commissioner, City of Wewahitchka
Michael Hammond	Governor's Appointee
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Vacant	Governor's Appointee
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Davis Stoutamire	County Commissioner
Steve Cutshaw	Commissioner, City of Bristol
Kendall Wade	Governor's Appointee
Wakulla County	
Randy Merritt	County Commissioner
Gal Gilman	Commissioner, City of St. Marks
Vacant	Governor's Appointee
Ex-Officio Members	
Clifford Wilson	FL Dept. of Environmental Protection
Paul Thorpe	NW FL Water Management District
Virgie Bowen	FL Dept. of Transportation
Diane Scholz	Enterprise Florida

APALACHEE REGIONAL PLANNING COUNCIL
BOARD MEETING

HOLIDAY INN HOTEL & SUITES

2725 Graves Road
Tallahassee, Florida

10:30 A.M. Eastern Time / 9:30 A.M. Central Time

Thursday - July 25, 2013

DRAFT AGENDA

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF AGENDA* 1

3. APPROVAL OF MINUTES * 3

4. NORTHWEST Fl TRANSPORTATION CORRIDOR AUTHORITY (NFTCA) PRESENTATION
   Cory Wilkinson, HDR Engineering, Inc.

5. COMPREHENSIVE PLAN REVIEWS . . . . . .

   A. Tallahassee/Leon County Proposed Amendment Series 13-3ESR* . . . . . .

   B. Gadsden County Proposed Amendment Series 13-1ESR* . . . . . .

6. STAFF REPORTS

   A. Economic and Community Development Update* . . . . . .

   B. Emergency Management Update . . . . . .

   C. Revolving Loan Fund Update* . . . . . .

   D. Transportation Disadvantaged Update* . . . . . .

7. COUNCIL ATTORNEY REPORT

8. EXECUTIVE DIRECTOR'S REPORT

A. Financial Statements* .....

B. Port of Port St. Joe Resolution* .....

C. ARPC Budget FY 2013/2014* .....

D. FRCA Major Accomplishments 2013 .....

9. CHAIRMAN'S REPORT .....

10. COUNCIL / PUBLIC COMMENT

11. ADJOURNMENT

DENOTES ACTION NEEDED

LUNCH WILL BE SERVED IMMEDIATELY FOLLOWING THE MEETING

NEXT SCHEDULED MEETING DATE - THURSDAY - OCTOBER 24, 2013

HOLIDAY INN HOTEL & SUITES - TALLAHASSEE

noted that the press release stated that additionally as a result of the sequestration, there was a possibility that counties might be required to return to the federal government SRS funds already received. He emphasized that these funds were of critical importance to Liberty County in the continuation of its public education system.

A motion was made by Davis Stoutamire for ARPC staff to draft a letter from the Board to the US legislative delegation requesting that the Secure Rural Schools payments not be sequestered. The motion was seconded by Kendall Wade. A vote was taken and the motion carried unanimously.

Mr. Stoutamire thanked the Board for its support and noted that Liberty County would be adopting a resolution on this matter at its next meeting and agreed to share a copy of it with ARPC staff for reference.

Commissioner McDougald expressed his concerns about the leadership and direction of the Council by its executive director. He stated that staff morale seemed low, and that Mr. Blume was not as available in the Blountstown office as necessary.

A motion was made by Darrell McDougald for the Chairman to appoint a personnel committee to investigate his concerns about the ARPC staff organization. The motion died for lack of a second.

Item 9: Adjournment

Chairman Jones announced that provided there was ample business to bring before the Council, the next Board Meeting of the ARPC would be held on Thursday, May 30, 2013. There being no further business to come before the Apalachee Regional Planning Council, the meeting was adjourned at 12:15 pm.

APPROVED BY THE APALACHEE REGIONAL PLANNING COUNCIL, MEETING IN REGULAR SESSION ON JULY 25, 2013.

SIGNED:

John Jones, Jr.
Chairman

ATTEST:

Charles D. Blume
Executive Director

AGENDA ITEM 4

NORTHWEST FLORIDA TRANSPORTATION CORRIDOR AUTHORITY
MASTER PLAN

Informational Summary

The Northwest Florida Transportation Corridor Authority (NFTCA) has completed the 2013 update to its Master Plan. The NFTCA Master Plan update process has included outreach to transportation and economic development stakeholders to foster economic development in Northwest Florida through strategic transportation investments. The NFTCA has refocused the Master Plan to identify a business case for transportation infrastructure to be developed cooperatively with state, regional, and local agencies. Based on the business case analysis, a plan update has been prepared in coordination with the most recently adopted long range transportation plans of the local TPOs. The final plan is to be approved by the NFTCA on July 25 in Panama City (10:00 am CT, Panama City Hall) and is available on-line at: www.nwftca.com

For more information, please feel free to contact:

Steve Schnell, AICP
HDR Project Manager
200 W. Forsyth Street, Suite 800
Jacksonville, FL 32202
850-415-9510

Steve.schnell@hdrinc.com

ACTION NEEDED
None

AGENDA ITEM 5

COMPREHENSIVE PLAN AMENDMENT REVIEWS

Informational Summary

ITEM # 5-A

Tallahassee- Leon County Proposed Amendment Series 13-1ESR: The proposed amendment series contains seven Future Land Use Map (FLUM) changes and five text amendments. The attached staff report summarizes the amendment series.

ITEM # 5-B

Gadsden County Proposed Amendment Series 13-1ESR: The proposed amendment series contains changes to Future Land Use Element Policy 1.1.5 clarifying the Rural Residential and Agriculture land use descriptions. The attached staff report summarizes the amendment series.

ACTION NEEDED

Motions to approve draft staff reports, as amended by the Board, and forward them to the local government and the Department of Economic Opportunity.

ARPC REVIEW OF THE TALLAHASSEE-LEON COUNTY PROPOSED AMENDMENT SERIES 13-1ESR

Introduction

The Tallahassee-Leon County Proposed Amendment Series 13-1ESR was received at the offices of the Apalachee Regional Planning Council (ARPC) in April 2013. The amendment series contains seven Future Land Use Map (FLUM) changes and five text amendments.

Staff Analysis

PROPOSED MAP AMENDMENTS

1) **Amendment # PCM 130101**

Size (Acres)	Amendment # PCM 130101		Proposed Development Plan
	From	To	
1	Urban Activity Center (45 units per acre and large scale commercial)	Urban Residential 2 (20 units per acre)	Two Single-family Residences

The amendment proposes to change the Future Land Use Map designation for a one-acre parcel on the north side of Monday Road near Capital Circle Southeast from Urban Activity Center to Urban Residential 2. The owner proposes to subdivide the property and development two single-family detached dwellings units. The existing Activity Center land use does not allow single-family housing. The proposed change is compatible with surrounding land uses and is likely to remain so based on current development trends according to local government planning staff.

2) **Amendment # PCM 130102:**

Size (Acres)	Amendment # PCM 130102		Proposed Development Plan
	From	To	
1.15	Residential Preservation (6 units / acre)	Central Urban (45 units / acre + office-commercial)	Expansion of existing restaurant

The amendment proposes to change the Future Land Use Map designation on seven lots totaling 1.15 acres located on Brevard Street, between Dade and Dean Street, from Residential Preservation (RP) to Central Urban (CU). The subject parcel contains an existing restaurant and an office, which are non-conforming uses in the Residential Preservation category, and two single-family homes. The proposed change provides relief from the current non-conforming status and allows the non-residential uses to be modified or expanded.

3) **Amendment # PCM 130104**

Size (Acres)	Proposed Land Use Amendment		Proposed Development Plan
	From	To	
9.8	Lake Protection (1 unit / 2 acre only)	Suburban (mix of residential employment and shopping uses)	Allow existing office/commercial uses to be modified or expanded

The amendment proposes to change the Future Land Use Map designation on 34 lots totaling 9.8 acres located on the north side of Timberlane Road approximately 300 feet east of Timberlane School Road from Lake Protection to Suburban. The owner of one, 0.5-acre lot requested the change and local planning staff recommended expanding the boundary of the proposed change to incorporate 33 additional developed parcels. All but one of the parcels was developed with office or commercial uses in the early 1970s and 1980s. These uses became non-conforming when a Lake Protection designation was adopted under the 1990 Comprehensive Plan because Lake Projection does not allow non-residential use in the City limits. The proposed change eliminates the non-conforming status for the subject parcels which will allow the non-residential uses to be modified or expanded.

4) **Amendment # PCM 130105**

Size (Acres)	Proposed Land Use Amendment		Proposed Development Plan
	From	To	
98.04	Rural (1unit / 10 acres)	Woodville Rural Com. (45 units / acre + office-commercial)	Expand existing restaurant

The amendment proposes to change the Future Land Use Map designation on a developed area containing a total of 98 acres on the south side of Natural Bridge Road approximately one and 1/3rd of a mile east of Woodville Highway from Rural to Woodville Rural Community. The applicant is simultaneously proposing a Planned Unit Development (PUD) for the subject 98.04-acre area and an additional adjacent 101.4 acres currently designated Woodville Rural Community. The PUD development would be required to 1) connect to sewer facilities designed to achieve Advanced Wastewater Treatment standards; 2) use of low impact development planning and practices, particularly as they apply to stormwater management; and 3) no net increase in dwelling units within the Primary Springs Protection Zone which would limited the 199.4 acre PUD site to a maximum of 416 residential units.

5) **Amendment # PCM 130106**

Size (Acres)	Proposed Land Use Amendment		Proposed Development Plan
	From	To	
16.42	Urban Residential 2 (4-20 units / acre)	University Transition (50 units / acre + non-residential uses)	High density housing and neighborhood commercial

The amendment proposes to change the Future Land Use Map designation on four parcels near the intersection of Jackson Bluff and Ausley Road from "Urban Residential-2 (UR-2)" to the "University Transition (UT)" category. The applicant would like to redevelop the subject parcels with higher density housing and neighborhood scale commercial to serve the new development and surrounding residential neighborhoods.

6) **Amendment # PCM 130107**

Size (Acres)	Proposed Land Use Amendment		Proposed Development Plan
	From	To	
0.38	Residential Preservation (6 units / acre)	Neighborhood Boundary (low den. residential & non-residential)	Commercial and office uses

The amendment proposes to change the Future Land Use Map designation on several adjoining parcels located on Thomasville Road near 9th Avenue from Residential Preservation to Neighborhood Boundary. This amendment is part of a City Commission approved settlement agreement with the owner and five neighborhood participants. The Neighborhood Boundary category is intended to allow historic commercial use of the parcels while protecting the value of surrounding residential areas.

7) **Amendment # PCM 130108**

Size (Acres)	Proposed Land Use Amendment		Proposed Development Plan
	From	To	
1.0	Residential Preservation (6 units / acre)	Suburban (mix of residential employment and shopping uses)	Convenience store

The amendment proposes to change the Future Land Use Map designation on a parcel located on the southwest corner of Fred George Road and Old Bainbridge Road. This property presently contains a 1,973 square-foot convenience store built in 1987 in accordance with the

former Huntington Woods Development of Regional Impact (DRI) development order. The Residential Preservation category only allows residential use so the convenience store is a non-conforming use. The convenience store can continue to operate under the existing ownership, but a pending sale of the property would require a new liquor license and a new license cannot be issued in a Residential Preservation zoning district. The proposed change will eliminate the non-conforming situation.

PROPOSED TEXT AMENDMENTS

1) **Amendment # PCT 130109** deletes strict policies that prohibit development on significant and severe grade inside the Urban Service Area and adds new language encouraging grade regulation in the Land Development Code that is appropriate for fostering compact urban development inside the Urban Service Area. The changes are intended to direct development and growth inside the Urban Service Area by providing additional flexibility for development in areas with steep grades.

2) **Amendment # PCT 130110** proposes updates to definitions in the Comprehensive Plan Glossary based on the County-wide Minimum Environmental Standards project. The amendment is intended to eliminate confusion between the environmental definitions in the comprehensive plan and the separate City and County land development codes.

3) **Amendment # PCT 130111** proposes changes to policies in the Mobility and Land Use Elements to update language and correctly identify the policy guidance to receive a density bonus in the Multi-Modal Transportation District.

4) **Amendment # PCT 130112** proposes to amend the Future Right-of-Way Needs Map in the Mobility Element of the Comprehensive Plan. The Comprehensive Plan requires the Future Right-of-Way Needs Map to be reviewed and amended regularly to ensure consistency with locally planned transportation improvements and future growth. The map was last amended in 2011 to ensure consistency with the Year 2035 Long Range Transportation Plan and other planned projects. The only change requested in this update is the addition of the Paul Russell Road extension. The proposed Paul Russell Road extension traverses and bisects the English property and the land owner and Planning Department staff have requested that the Paul Russell Road extension be added to the Future Right-of-Way Needs Map.

5) **Amendment # PCT 1301013** is a proposed amendment to Transportation Policy 13.1.4 regarding the roadway crossings of the Miccosukee Canopy Road Greenway within the Welaunee Critical Area Plan. A Memorandum of Agreement (MOA) was approved by the City Commission on October 24, 2012 and the County Commission on November 13, 2012, to establish the approved road access corridors across the Greenway. The proposed amendment will make the Comprehensive Plan consistent with the approved MOAs.

Regional Comments:

None

ARPC REVIEW OF THE GADSDEN COUNTY
PROPOSED AMENDMENT SERIES 13-1ESR

Introduction

The Gadsden County Proposed Amendment Series 13-1ESR was received by the Apalachee Regional Planning Council (APRC) in May 2013. The proposed amendment series contains text changes to Future Land Use Element Policy 1.1.5 (B) and Policy 1.1.5 (C).

Staff Analysis

This amendment is part of the Gadsden County Planning Department's ongoing task of clarifying and updating the Gadsden County Comprehensive Plan. The proposed text changes are specifically intended to clarify Rural Residential and Agricultural land use density, lot size, and permitted non-agricultural uses.

PROPOSED TEXT AMENDMENTS

Policy 1.1.5: The Future Land use Map shall be based upon and be consistent with the following standards for land use densities. Density is measured in units per acre, as in one unit per acre, (1:1), in Floor Area Ration, the ratio of total square footage of a projects floor space to its overall area, or in Maximum Impervious area, which is the ratio, in percent, of all pavement, sidewalk, and floor areas to the total lot area. Gravel areas and porous pavements may be considered at a 50% rate depending on the design submitted for permitting.

(A) Urban Service Area (no change)

(B) Rural Residential

Rural residential density shall not exceed one unit per net acre (gross acreage less environmentally sensitive lands, right-of-ways or easements) is based on a minimum lot size of one acre. Clustering is permitted for site built homes based on the net developable acreage not in conservation lands or flood plains to a minimum lot size of one half acre.

Neighborhood commercial (up to 2% of the acreage in each established community area with a 75% Maximum Impervious area ratio), agricultural, recreation and public and historic land uses are permitted.

Single family residential homes are located on one acre or larger home sites calculated on net acreage less environmentally sensitive lands, access, right-of-ways or easements. Clustering of lots may be permitted for site built home sites down to a minimum lot size of 0.5 acres based on the net developable land area not in conservation lands or environmentally sensitive areas including flood plains. Density considerations may be made up to a minimum lot size of 0.25 acres for regulated low income or very low income housing initiatives that are approved by the Department of Community Development.

Land use amendments to Rural Residential from Agricultural Land Uses must be adjacent to existing Rural Residential Areas.

(C) Agricultural:

Agricultural 1 - 1 dwelling unit per five (5) acres (1:5);
Agricultural 2 - 1 dwelling unit per ten (10) acres (1:10);
Agricultural 3 - 1 dwelling unit per 20 acres (1:20).

Agricultural (including accessory structures) and residences associated with forest management (not exceeding three (3) temporary residences per forest management work center and not exceeding one (1) work center per private corporation or agency engaged in forest management), churches, cemeteries, recreation, and historic uses are permitted as uses by right in these land use categories. Public uses are permitted in accordance with development review criteria. Clustering and Neighborhood Commercial (up to 1% of the acreage in each established community area with a 75% floor area ratio) land uses may be permitted with close scrutiny of these activities in 1:20 areas. Residential development in the Agriculture Land Use Categories shall be allowed as follows:

1. *Agricultural and residential development in the Agricultural 1 land use category shall not exceed a density of one dwelling unit per ten (10) acres and require a minimum lot size of five (5.0) acres or a minimum clustered lot size of 2.0 acres with a minimum of 50% of the parent parcel to be dedicated as conservation easement.*

2. *Agricultural and residential development in the Agricultural 2 land use category shall not exceed a density of one dwelling unit per ten (10) acres and require a minimum lot size of ten (10.0) acres or a minimum clustered lot size of 4.0 acres with a minimum of 50% of the parent parcel to be dedicated as conservation easement.*

3. *Agricultural and residential development in the Agricultural 3 land use category shall not exceed a density of one dwelling unit per twenty (20) acres and require a minimum parcel size of twenty (20.0) acres or a minimum clustered lot size of 5.0 acres with a minimum of 65% parent parcel to be dedicated as conservation easement.*

4. *Permitted non-agricultural uses (including churches, cemeteries, neighborhood commercial uses, historic uses) shall require a minimum lot size of no less than three (3) acres, outside of environmentally sensitive lands. A minimum lot size of no less than one (1) acre is permitted, outside of environmentally sensitive lands, provided both central water and sewer are available.*

Regional Comment:

None

AGENDA ITEM 6 - A

ECONOMIC AND COMMUNITY DEVELOPMENT UPDATE

Informational Summary

Port St. Joe – North Port St. Joe Water I: The City's Neighborhood application was successful and resulted in award for the project. The Environmental Review has been approved and funds have been released. The project's bid package is approved and ARPC staff is awaiting approval from USDA on a companion portion of the project to advertise for bids.

Port St. Joe – North Port St. Joe Water II: The City has approved a contract for the ARPC to represent them in the next annual application for funding to create an application package for the next funding cycle. The first public hearing has been held and the field survey is at approximately 85% complete.

City of Apalachicola – Scipio Creek Boat Basin: The project has been awarded $1,855,000 from the Economic Development Administration and $484,596 from the DCA's CDBG program. The City of Apalachicola is providing an additional $215,000. The design is 100% complete with all permits on hand. Pro-Steel Building, Inc. henceforth PBSI, has been awarded as construction manager at risk. The project was bid to subcontractors in late April and the bids came in at over three times the budgeted levels for the project. Substantial delays are expected as a result of the high bids and may jeopardize the successful completion of the project. A second 12 month extension of the original 24 month grant from CDBG will expire in August of 2014.

Havana EAR Based Amendments: The DEO Objection, Recommendation, and Comment (ORC) report has been responded to and the response has been adopted by the Town Council. The adopted plan has been submitted to the DEO Dept. of Community Planning for final review.

Florida Energy Resiliency Study: In the last three months, ARPC staff has continued to work on final elements of the report, with the ARPC adding a component investigating the vulnerability of key electrical generating facilities to areas mapped as subject to storm surge. The Draft Energy Assurance report titled: "Energy_Assurance_031213_Draft" is available online at: ftp://ftp.tbrpc.org/upload/Energy/

Franklin County: The FL DEO asked the ARPC to participate in efforts to seek long term solutions to economic sustainability in Franklin County beyond tourism and seafood. Staff assisted DEO in production of the first in a series of summits and focus groups to be held during FY 2013/2014. ARPC staff documented the initial summit and provided a report on the data gathered to DEO. Staff was also requested to provide an economic analysis using REMI on two proposed ED projects. One is a wood products firm considering relocation to Carrabelle. The second is a developer and manufacturer of unmanned aerial, terrestrial and marine vehicles that wishes to expand its operations from Panama City.

Comprehensive Economic Development Strategy (CEDS): The ARPC CEDS Committee met on July 23rd to review the final form of the ARPC Comprehensive Economic Development Strategy with all elements included. The ARPC CEDS Committee voted to recommend approval and submission of the Apalachee Region's CEDS to the US Economic Development Administration. A grayscale copy of the final version of the CEDS is included under separate cover for Board Review.

ACTION NEEDED

Motion needed to adopt the 2013 ARPC Comprehensive Economic Development Strategy as presented and submit it to the US Economic Development Administration

June 21, 2013

The Honorable Hal Rogers
Chairman
Committee on Appropriations
U.S House of Representatives
Washington, DC 20515

The Honorable Nita Lowey
Ranking Minority Member
Committee on Appropriations
U.S House of Representatives
Washington, DC 20515

The Honorable Tom Latham
Chairman
Subcommittee on Transportation and
Housing and Urban Development
U.S. House of Representatives
Washington, DC 20515

The Honorable Ed Pastor
Ranking Minority Member
Subcommittee on Transportation and
Housing and Urban Development
U.S. House of Representatives
Washington, DC 20515

Dear Chairmen Rogers and Latham and Ranking Minority Members Lowey and Pastor:

The undersigned national organizations representing local elected officials, state and local affordable housing and community development practitioners and non-profit agencies, collectively known as the CDBG Coalition, write to express our deep disappointment in, and opposition to, the proposed FY 2014 appropriations for the Community Development Block Grant(CDBG) and HOME Investment Partnerships (HOME) programs contained in the THUD Subcommittee-approved version of the FY 2014 appropriations bill..

Funding CDBG at $1.636 billion and HOME at $700 million as proposed in the bill puts those funding levels at historic lows. CDBG formula grants would be cut by nearly 50% over the FY 2013 appropriation of $3.08 billion, while funding HOME formula grants at $700 million represents a more than 60% cut from its FY 2010 level of $1.82 billion. The proposed appropriations will make it much more difficult for cities, counties and states and their non-profit partners to effectively carry out programs to meet the growing needs of our Nation's communities for infrastructure development and replacement, public services, affordable housing and economic development and the jobs such activities create or preserve.

CDBG provides vital funding and flexibility to address local needs in the areas of community and economic development, housing, infrastructure and vital public services. Over 1,200 communities rely on CDBG as a direct source of annual funding. Moreover, each year, an estimated 7,250 local governments nationally have access to CDBG funds reaching rural, urban, and suburban areas. CDBG helps create jobs through the expansion and retention of businesses.

Since FY2010, funding for CDBG has been cut by nearly $1 billion, yet the need for these important resources has continued to grow. While we understand the need to address the federal

budget deficit, we also understand the value of the local investments made by CDBG. We are deeply concerned that these investments are in jeopardy due to the Obama Administration's FY2014 proposed budget cuts to CDBG, funding the program at $2.8 billion and now the Subcommittee-approved level of $1.636 billion.

The CDBG program generates additional resources, and adds to the local economy. For example, for every $1.00 of CDBG funding invested in a project another $3.55 is leveraged from other sources. Since its inception in 1974, CDBG has leveraged nearly $400 billion in other resources for community development and affordable housing.

As a companion to the CDBG program, the HOME Investment Partnerships program has suffered severe cuts since FY 2010, from $1.82 billion then to $950 million in FY 2013, as a result of sequestration. We urge you to appropriate at least $1 billion for HOME in FY 2014. HOME serves as a critical source of funding for the expansion of affordable ownership and rental housing for low-and moderate-income households. The types of activities HOME assists are the construction and preservation of affordable rental housing usually as gap assistance, the construction and rehabilitation or affordable ownership housing as wells as for homeownership assistance and tenant-based rental assistance. Since HOME was enacted in 1990 it has produced over 1 million affordable homes, including 612,792 homeownership new construction and rehabilitation units and 423,154 new construction or preservation of rental units. Every dollar of HOME funds leverages an additional $4 in non-HOME funds.

As the FY 2014 appropriations process moves forward we strongly urge you to restore funding for these vital programs to their pre-sequestration levels of no less than $3.3 billion for CDBG and at least $1 billion for HOME.

Sincerely,

U.S. Conference of Mayors
National Association of Counties
National League of Cities
American Planning Association
Council of State Community Development Agencies
Habitat for Humanity International
Local Initiatives Support Corporation
National Association for County Community and Economic Development
National Association of Development Organizations
National Association of Housing and Redevelopment Officials
National Association of Local Housing Finance Agencies
National Community Development Association
National Rural Housing Coalition
YWCA USA

AGENDA ITEM – 6 B

EMERGENCY MANAGEMENT and DOMESTIC SECURITY PLANNING

Informational Summary

Regional Hazardous Materials Program

The Apalachee Regional Planning Council staffs the District 2 Local Emergency Planning Committee (LEPC) which is responsible for implementing the Emergency Planning and the Community Right-To-Know Act (EPCRA) for the ARPC's nine-county region. The four primary activities of the LEPC are hazardous materials planning, training, emergency exercises and public outreach.

The most recent quarterly meeting of the District 2 LEPC was held on April 17, 2013 at the Tallahassee Fire Department Training Facility. The next meeting is scheduled for July 31, 2013 at the same location. Staff attended the quarterly meetings of the State Emergency Response Commission (SERC) for Hazardous Materials in Saint Petersburg, Florida on July 11-12, 2013. The next round of SERC meetings will be held on October 3-4, 2013 in Tallahassee.

Hazardous Materials Training

ARPC staff sponsored the following training course since the last ARPC Board Meeting:

Date	Course	Location	Hours	Participants
4/25/13	4-hr Awareness Level Course	Monticello VFD Training Room	4	16
7/9/13	8-hr Technician Refresher	FSU	8	31

ARPC staff coordinated a 4-hr Hazardous Materials Awareness Level course on April 25th for the Monticello Volunteer Fire Department. Staff also coordinated an 8-hr Technician Level Refresher course on July 9th and is now working to schedule additional hazardous materials training to spend the remaining Federal Fiscal Year funds, which will include an Awareness Level course for the Gretna Police Department.

Hazards Analysis (HA) Update

Each year, ARPC staff visits 50% of the region's (minus Jackson and Wakulla) Section 302 facilities to verify Extremely Hazardous Substances (EHS) inventories and emergency contact information. The site visits aid in creating a hazards analysis summary that includes worst-case release data. The information is used by first responders and emergency management planners.

ARPC staff installed the region's updated hazard analysis (HA) data on the field laptops of the Tallahassee Fire Department's HazMat Team April 3rd. ARPC staff became a member of the HA Work Group and has attended two meetings over the past several months. The Work Group's mission is to streamline the HA Program and improve the overall product. Staff attended the newly required HA training workshop on July 10th in Saint Petersburg. The ARPC staff should

soon receive the Fiscal Year 2013-14 contract from the FL Division of Emergency Management and will begin work on the contract deliverables soon thereafter.

HMEP Planning Project

ARPC staff selected the *Local Emergency Planning Committee Plan Exercise* for the District 2 LEPC's annual HMEP planning project. Staff continued efforts to develop and conduct a full-scale exercise with the Tallahassee Fire Department's Hazardous Materials Team. The multi-jurisdictional exercise was held on June 21st at Canopy Oaks Elementary School in Tallahassee. The mass decontamination exercise called 'Chemical Chaos' was a success and involved over 70 participants. Staff is currently working on the After Action Report and Improvement Plan. Following this report is a Tallahassee Democrat article about the exercise.

Domestic Security Program - Region 2 Domestic Security Task Force

Seven domestic security task forces were formed in Florida after the events of 9/11/01 and in accordance with F.S. 943.0312. The main responsibilities of the task forces are to improve Florida's ability to detect and prevent terrorist threats, collect and disseminate intelligence and investigative information, protect critical infrastructure, coordinate the delivery of training and support the purchase of proper equipment for first responders and task force response teams. ARPC staff serves as planners for the NFRDSTF.

Exercises

ARPC staff participated with the functional exercise held March 5, 2013 at the Taylor County EOC, attended the Volunteer Reception Center exercise held in Crawfordville on April 27, 2013, and attended and assisted county Emergency Managers during the National Weather Service's Hurricane tabletop exercise held in Marianna on May 29, 2013. Staff is now working with Region 2 counties to develop a tabletop exercise to practice evacuation making decisions.

Planning

During the quarter, ARPC staff completed collecting data for the 2014-16 Multi Year Training and Exercise Plan (TEP). Staff facilitated the Region 2 TEP Workshop on April 12, 2013 at the American Red Cross and attended the Statewide TEP Workshop on June 4, 2013 in Tampa. Staff also assisted the FDLE and the FDEM in updating the Domestic Security Strategic Plan during a workshop held in Tampa July 16 – 18, 2013.

ARPC staff in its role as the RDSTF Planner serves as the Coordinator for the Big Bend Community Organizations Active in Disaster (COAD) and has worked with the Leadership Group to develop a strategic plan and response procedures to enhance operational organization of the volunteer organizations in the region. The next general meeting of the COAD is scheduled for July 31, 2013.

Training

ARPC staff assisted the FDLE in facilitating a workshop for Fusion Liaison Officers held in Tallahassee May 14, 15, 2013. ARPC staff has completed the required National Incident Management System (NIMS) courses, the Planning Section Chief Training Course and the Intermediate Incident Command System training and serves as planners for the

Region 2 Incident Management Team. ARPC staff continues to provide technical assistance to local governments when requested regarding compliance with NIMS for response plans and personnel as well as HSEEP requirements for exercises.

Meetings and Workshops

ARPC staff participated on the monthly Interoperable Communications Subcommittee conference calls held on April 3 and June 12, 2013; attended and assisted with the 2013 Interoperability Communications Workshop in Daytona Beach on May 13-15, 2013; attended the State Working Group Interoperable Communications and Training and Exercise Subcommittee meetings and the Planner meeting on April 29 – 30, 2013 in Tampa; and attended the Region 2 Coordinator's meeting at the Taylor County EOC on May 30, 2013. ARPC staff worked with representatives from FDLE, the US Attorney's Office and the Gadsden County Sheriff's Office to develop and host the 2nd Annual Rural County Summit – School Safety and Emergency Preparedness held July 9 – 10, 2013 at the Florida Public Safety Institute. An article about the summit is included after this report.

ARPC staff facilitated the Big Bend COAD Leadership Council meetings held on April 10 and May 15, 2013. Staff attended the Governor's Hurricane Conference held May 7 – 9, 2013.

Emergency Management Program

ARPC staff assisted the Florida Division of Emergency Management (FDEM) by facilitating a three day workshop to update the FDEM Strategic Plan as part of its five-year national accreditation process April 2–4, 2013 in Tallahassee.

North Florida Medical Reserve Corps

ARPC staff continues to serve as the Medical Reserve Corps Coordinator for the North Florida region. The MRC volunteers participated with staff from the Tallahassee Memorial Hospital during a training day for emergency triage held on April on 20, 2013. After the training day, the volunteers then participated with TMH emergency room staff during a Multi-Casualty Incident training drill held on May 18, 2013 at TMH. The North Florida MRC membership now includes more than 320 licensed medical volunteers from around the region.

ACTION NEEDED

None

"Chemical Chaos" drill a chance to evaluate response to hazardous materials disaster

This was only an exercise.

Police, firefighters and medical technicians swarmed onto the grounds of Canopy Oaks Elementary on a cloudy Friday morning.

They lined up stretchers and plastic kiddie pools in the parking lot behind the school. They set up washing stations to rinse hazardous chemicals off the 15 high school students who spilled into the breezeway in the middle of the school grounds, and doused the students with fire hoses.

Sheriff's deputies interviewed the students one at a time, and one of them admitted there was a bomb in a car parked out front.

The Big Bend Regional Bomb Squad arrived and deployed remote-control robots with mechanical arms that shattered windows and ripped doors off a beat-up Dodge Stratus parked out front.

Friday's "Chemical Chaos" drill involved ten agencies — from Leon County Schools to the Florida Department of Law Enforcement and the hazardous materials unit of the Tallahassee Fire Department. Evaluators followed them every step of the way, taking notes and film that will help them analyze their performance and look for ways they could respond better in the event of a real disaster.

The exercise underscored the level of coordination required to respond to a disaster at a local school, and gave first responders the chance to prepare for a day they hope will never come.

Lt. Mike Bellamy, a spokesman for the Tallahassee Fire Department, said the drill was intended to help responders prepare for the kind of events they rarely get to rehearse in real life — a large exposure to hazardous chemicals that requires the decontamination of an entire classroom full of students.

Police, firefighters and other responders documented the drill in detail. They will review the tape and look for ways to improve their procedures.

The exercise was funded through the Local Emergency Planning Committee with a $20,000 grant from the U.S. Department of Transportation. The grant intended to help local agencies prepare their response to a transportation-related disaster involving hazardous materials.

Emergency planning officials crafted a scenario that allowed them to test their response to an attack on a school campus, which allowed them to involve the school district in the exercise. The drill tested everything from the school district's emergency communications to the rolling robots local law enforcement agencies use to handle bombs while humans control them from a safe distance.

"It allows agencies to test scenarios that they haven't done on a regular basis, and allows them to work with agencies they might not normally work with," said Chris Rietow, who handles emergency planning for the Apalachee Regional Planning Council and helped coordinate the exercise.

In Friday's mock attack, the chemical reaction affected 15 students — eight of whom would have needed to be transported to nearby hospitals.

Local Boy Scouts played the role of the victims who might have been exposed to hazardous chemicals if this were the real thing.

James DiMarco, 15, is going into his sophomore year at John Paul II Catholic High School in Tallahassee, and an aspiring Eagle Scout working toward an emergency preparedness merit badge. He said the exercise gave him confidence in local emergency responders' ability to deal with a real threat posed by hazardous materials.

"I know that they know what they're doing," he said, adding: "If I were ever in a situation like this, they could help me and I would know what to expect."

NEWS SERVICE
FLORIDA

TRAGEDIES MAKE SCHOOL SAFETY A HOT TOPIC AT CONFERENCE

By MARGIE MENZEL
THE NEWS SERVICE OF FLORIDA

THE CAPITAL, TALLAHASSEE, July 9, 2013.....With the Sandy Hook Elementary School shootings and a student kidnapping in Alabama raising the fears of parents, school security has become a huge issue for public-safety officials and educators.

That was evident Tuesday as law-enforcement officers, educators and emergency-management officials from across north Florida gathered to discuss school security in rural counties – and to hear from police who responded to the mass shooting at Newtown, Conn., and the abduction of a 5-year-old boy from an Alabama school bus.

Gadsden County Sheriff Morris Young said everyone at the event, the second Rural County Summit, could identify with their counterparts at the recent tragedies. As a measure of the interest, the summit drew 285 people, compared with 85 last year at a conference on hurricane preparedness.

"I sit back, just like you all, watching my television and thinking, 'That could be Gadsden County,' " Young said. "Who would have ever thought Newtown would be a focal point for this United States on a traumatic situation?"

The conference was held at the Florida Public Safety Institute, near the Gadsden County town of Quincy, and was organized by the Gadsden County Sheriff's Office, U.S. Attorney Pamela Marsh, the North Florida Domestic Security Task Force and the Florida Division of Emergency Management.

Lt. Christopher Vanghelle of the Newtown Police Department and Lt. Paul Vance of the Connecticut State Police were on hand to discuss the Sandy Hook shootings in strategy sessions that were closed to the public. They met with reporters, and Vanghelle, one of the first on the scene after Adam Lanza opened fire, praised the quick response at the elementary school.

"Just us arriving there when we did made that shooter stop and take his own life, which saved hundreds of other lives," Vanghelle said.

But he acknowledged he could never have prepared for Dec. 14, 2012, when 20 children and six school staff members died.

"What I saw isn't something anybody can ever prepare themselves for, or anybody could ever forget. It's nothing you can ever even describe or imagine," he said.

Yet Newtown is recovering, Vanghelle said, due to its resiliency.

"Especially from the parents," he added. "They're really a source of strength...In my darkest days, I look towards those who have really lost, the victims, and see how strong they are, and that helps the rest of us keep going."

Also attending the conference were school and law-enforcement officials from Dale County, Ala., where 65-year-old Jimmie Lee Dykes killed a school bus driver, Charles Albert Poland, Jr, and took a child hostage last January. The days-long standoff ended with law enforcement officers killing Dykes and rescuing the boy, which Marsh called a miracle.

Florida state Sen. Bill Montford, D-Tallahassee, said the tragedies had sparked discussion about school safety by lawmakers during the 2013 legislative session.

"All kinds of ideas floated up," he said. "One --- and it's coming back next session --- which I did not support, was to let teachers arm themselves and bring the guns to school. I said, 'No way.' "

Montford, a former schools superintendent and principal, said children are more aware of school tragedies than in the past because today they're "constantly bombarded with media."

"And so it's even more important today than ever before that we take every step we can to ensure that our students feel safe, they know they're safe and, in fact, they are safe," he said.

The lost art of preplanning and the role of the Local Emergency Planning Committee (LEPC)

Safety Info Posts - Emergency Response

Written by Bryan Haywood

Wednesday, 01 May 2013 18:52

As a safety professional, former FF/EMT, HAZMAT Coordinator, and LEPC Chairperson I can personally attest to the value of what "preplanning" can do for a business, the community and its responders. Unfortunately in the current economic climate, most businesses, communities, and FD's have had to set preplanning efforts to the side due to budget constraints. As a safety professional this frustrates me as we have all heard the phrase... "An ounce of prevention is worth more than a pound of cure". Today, the chief of the Texas Department of Public Safety's Office Emergency Management told lawmakers delving into the catastrophic explosion at the West Fertilizer Co. that emergency planning and response by city of West and McClennan County officials saved countless lives. Citing "the number of people evacuated safely, I would submit to you that the system worked," said DPS's Nim Kidd. This was a shocking statement after we just buried 12 firefighters, so I thought maybe somone needs to explain just who is responsible for "preplanning" and how is the "planning system" suppose to work...

Lets start with businesses

I used to do about 7-10 pre-plans for high risk businesses annually up until 2007/08 time frame. These are detailed plans for emergencies such as Fire, HAZMAT, Rescue (PRCS/High Angle), and Major Medical stemming from a large-scale accident. These were major projects for the facility, but we analyzed every aspect of their emergency response plans, staffing, equipment, training, outside resources (and their staffing, equipment, training, etc.) so that the business leaders could fully understand what their major risks were and their ability to respond to them. Most clients found themselves on an "island" with very little help from outside the facility, so their plans, equipment, staffing, and training became absolutely critical. Almost all of these facilities were required to comply with OSHA's HAZWOPER standard, so it is important to point out that the VERY FIRST element of a facility's Emergency Response Plan MUST address...

> *1910.120(q)(2)(i) Pre-emergency planning and coordination with outside parties*

So what is the OSHA minimum expectation for this pre-planning. Here is what they say in their CPL regarding the role of the facility AND the LEPC:

> *SARA Title III directed Governors of each State to appoint a State Emergency Response Commission (SERC), which would in turn appoint and coordinate the activities of Local Emergency Planning Committees (LEPCs). The LEPCs **must** develop a community ERP that contains emergency response methods and procedures that can be followed by facility owners, local emergency responders, and emergency medical personnel. The interface between HAZWOPER and SARA Title III is discussed further in Section XII.B.*

The CPL goes on to state the following:

> *The term "outside parties" as used in 1910.120(q)(2)(i) means outside responders (fire departments, police, private HAZMAT teams, emergency medical service personnel, and other pertinent components of the local, state, and federal emergency response system) and other employers in the surrounding area who could be affected by a hazardous substance emergency incident.*
>
> *(1) Inspection Guidelines. CSHOs may ask the following questions with respect to an employer's pre-emergency planning and coordination efforts:*
> *(a) Does the plan address coordination with outside emergency response organizations?*
> *(b) Have employers notified and coordinated their ERP with the organizations listed? CSHOs must verify with the local fire department(s) that the employer has contacted them regarding the employer's emergency response capabilities and needs and the fire department's role, if any, in providing emergency response (e.g., request written mutual aid agreements with the response organizations). **The planning and coordination procedures in the employer's written ERP should state the particular conditions or circumstances under which outside responders will provide emergency response to the site or facility.** The CSHO should also verify with other randomly-selected emergency response organizations listed in the ERP that these outside parties are aware of and capable of fulfilling their role under the employer's ERP.*
>
> *(c) Are telephone numbers and contact personnel for in-plant officials and local authorities updated and made available?*
>
> *(d) Do the employer's pre-emergency planning and coordination procedures address how outside parties are notified of a potential emergency situation and what role each would play in an incident? Verify whether the employer has conveyed these elements of the ERP by contacting several of the affected outside parties.*
>
> *(e) Are outside responders aware of any circumstances that were either not disclosed or considered by the employer that would delay or prevent them from responding to an incident (e.g., distance, lack of training, etc.)?*

Now for the meat and potatoes of how OSHA expects the LEPC to play role in facility Pre-Planning:

In addition, under SARA Title III, facilities are required to share information on hazardous chemicals on site with the LEPC. You may refer industry personnel to the SARA Title III hotline at (800) 424-9346, or to appropriate EPA Regional Offices. CSHOs are encouraged to notify EPA of facilities that have not complied with SARA Title III.

In addition to pre-emergency planning and coordinating with outside parties, ***the employer must also pre-plan for situations that may require employees to shelter-in-place.*** *This is addressed further in section XI.C.5.*

Hospitals that are designated by a LEPC or by a hazardous waste site as a decontamination facility must comply with 1910.120(q) for employee training. Facilities or sites that prepare an ERP under 1910.120 must coordinate with hospitals or other medical care providers prior to emergencies in case victims will need to be decontaminated at a hospital (1910.120(q)(2) requires emergency medical treatment and first aid as one of the elements to be covered in the ERP). If a hospital is selected by a facility, it must be made aware of a facility's intent to use its services so that the hospital may ensure that it is prepared for its duties (e.g., has properly trained personnel, PPE, methods of containing runoff wastewater, etc.).

The role of the Local Emergency Planning Committee (LEPC) in preplanning

SARA Title III, also referred to as "EPCRA," requires States and local jurisdictions to develop community Emergency Response Plans (ERP). In addition, certain facilities within the community must share information about the hazardous substances they have on site with the community emergency response planners. SARA Title III directs Governors of each State to appoint a State Emergency Response Commission (SERC), which in turn appoints and coordinates the activities of LEPCs. The LEPCs must develop a community ERP that contains emergency response methods and procedures to be followed by facility owners, local emergency responders, and emergency medical personnel.

(1) Facilities must submit an EPA Tier I or Tier II inventory form to their SERC, LEPC and local fire department. A MSDS, or alternative, must also be submitted in accordance with the following (defined in 40 CFR Part 370.20(b)):

(a) When hazardous chemicals (as defined in 29 CFR 1910.1200) are kept in amounts equal to or greater than 10,000 pounds.
(b) When "extremely hazardous substances" (a list is provided in Federal EPA's regulation, 40 CFR Part 355 – Appendix A) are present in amounts greater than or equal to 500 pounds, or greater than or equal to the "threshold planning quantity," whichever is lower.
(c) When facilities are requested to submit an MSDS or Tier II form by the SERC, LEPC or fire department (the minimum "threshold" for reporting in response to requests is zero; i.e., the MSDS or Tier II form must be submitted anytime the SERC or LEPC or fire department makes a request).
(Note: The facility's responsibility is further explained in 40 CFR Part 355 – Emergency Planning and Notification.)

(2) Section 303 of SARA gives LEPCs minimum requirements which they are to include in their ERP as follows:

(a) Identification of facilities with reportable quantities, routes likely to be used for the transportation of extremely hazardous substances, and facilities contributing or subjected to additional risk due to their proximity.
(b) Emergency response methods and procedures to be followed by facility owners, local emergency responders, and emergency medical personnel.
(c) Designation of a community emergency coordinator and facility emergency coordinators, who shall make determinations necessary to implement the plan.
(d) Emergency notification procedures for the facility and community emergency coordinators.
(e) Methods for determining the occurrence of a release, and the population likely to be affected.
(f) A description and location of emergency equipment and facilities in the community, and identification of personnel responsible for equipment and facilities.
(g) Evacuation plans.
(h) Training programs and their schedules for emergency responders.
(i) Methods and schedules for exercising the emergency plan.
(Note: ***The provisions of the community ERP are significant because 29 CFR 1910.120(q) allows community responders to use the plan developed under SARA title III in complying with OSHA.*** *HAZWOPER paragraph (q) states that "... emergency response organizations who have developed and implemented programs equivalent to this paragraph for handling releases of hazardous substances pursuant to Section 303 of the SARA ... shall be deemed to have met the requirements of this paragraph.")*

EPA even goes a bit further in their RMP Audit Checklist in their expectations of how a facility and the LEPC will work together.

At the conclusion of the opening meeting, the lead inspector should request access to the following information, where applicable:

...

• Documentation on coordination with local officials on emergency response activities.

Has the owner or operator coordinated emergency response procedures between the stationary source and local emergency planning and response organizations? [68.10(b)(3)]

Has the owner or operator provided to the local emergency response officials information necessary for developing and implementing the community emergency response plan requested by the LEPC or emergency response officials? [68.95(c)]

Has the owner or operator provided the name and telephone number of the local agency with which emergency response activities and the emergency response plan is coordinated? [68.180(b)]

For stationary sources with any regulated toxic substance held in a process above the threshold quantity, is the stationary source included in the community emergency response plan developed under EPCRA? [68.90(b)(1)]

For stationary sources with only regulated flammable substances held in a process above the threshold quantity, has the owner or operator coordinated response actions with the local fire department? [68.90(b)(2)]

Has the owner or operator developed and implemented an emergency response program for the purpose of protecting public health and the environment? [68.95(a)]

Does the emergency response plan contain the following elements: [68.95(a)(1)]

> *Procedures for informing the public and local emergency response agencies about accidental releases? [68.95(a)(1)(i)]*
>
> *Documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures? [68.95(a)(1)(ii)]*
>
> *Procedures and measures for emergency response after an accidental release of a regulated substance? [68.95(a)(1)(iii)]*

Has the emergency response plan been coordinated with the community emergency response plan developed under EPCRA? [68.95(c)]

So as we can see, LEPCs are intended to play a MAJOR role with all PSM/RMP facilities, such as the one in West, TX! Yet the County Judge elected last year is on record as stating he had never heard of any LEPC in his county and had never heard of any meetings - yet he is listed with the SERC as the Chairman of the LEPC over the West, TX Fertilizer facility!

The big question is... how many facilities have actually attended an LEPC meeting or better yet, HOSTED AN LEPC MEETING at their facility so that the facility ERP can be laid out for the LEPC members to ensure it can be integrated with the community ERP! Folks, just mailing your Tier II sheets and a copy of the ERP is not going to get us the desired results! We have to begin thinking about holding drills at our facility for the community responders, having the FD and county/regional HAZMAT teams to the site for detailed site tours of the storage/process areas and to exchange response capabilities to ensure there are NO GAPS between what our response expectations of the outside responders are and their expectations of us. The tragedy in West, TX did not have to happen; sure the fire may have been a "matter of time" but the loss of life is just UNACCEPTABLE and could have/should have been prevented. I am hopeful the investigation will find flaws in what happened at this facility LONG BEFORE the fire started so that we can learn for the planning mistakes made... at least I am hopeful of this!

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Reuters: 'The Tier II system came under scrutiny after the explosion of a fertilizer plant in West, Texas, in April.' (photo: unknown)

go to original

Exclusive: US System for Flagging Hazardous Chemicals Is Widely Flawed

By M.B. Pell, Ryan McNeill, Selam Gebrekidan, Reuters
08 July 13

A 27-year-old U.S. program intended to warn the public of the presence of hazardous chemicals is flawed in many states due to scant oversight and lax reporting by plant owners, a Reuters examination finds.

Under the federal Emergency Planning and Community Right-to-Know Act, private and public facilities must issue an inventory listing potentially hazardous chemicals stored on their properties. The inventory, known as a Tier II report, is filled with state, county and local emergency-management officials. The information is then supposed to be made publicly available, to help first responders and nearby residents plan for emergencies.

But facilities across the country often misidentify these chemicals or their location, and sometimes fail to report the existence of the substances altogether.

And except for a handful of states, neither federal nor local authorities are auditing the reports for errors.

Reuters identified dozens of errors in Tier II reports in recent years and found several facilities that failed to report altogether.

Two states - Illinois and Wisconsin - introduced errors into the public databases through which they disclose

information from Tier II reports. The reports document the presence of hazardous chemicals, such as ammonium nitrate, lead, sulfuric acid and diesel fuel.

In 2006, clothing company Carhartt Inc failed to report that its plant in Morehead, Kentucky, was storing chlorine on the premises. Two firefighters were exposed and one suffered chemical burns when they shut a leaking valve at the plant without proper safety gear. Carhartt said the plant was shuttered at the time of the leak, but didn't say why reports weren't filed.

DAKOTA DATA

This year, a water-treatment facility in Valley City, North Dakota, failed to submit a Tier II report. After Reuters notified state officials, the plant filed a Tier II showing the presence of a host of toxic or explosive materials, including ammonium hydroxide, chlorine, sulfuric acid, sodium hydroxide, sodium permanganate, hydrochloric acid and phosphoric acid. Company officials said they aren't sure why no reports were filed and are looking into the issue.

In June, homes and businesses in Seward, Illinois, were evacuated for a day after a fire and explosion at Nova-Kem LLC injured one employee and released a plume of smoke containing caustic and toxic chemicals, including chlorine gas. The company, which makes compounds used in high-tech applications, did not report storing hazardous chemicals, according to Dennis Lolli, coordinator of the Winnebago County Emergency Services and Disaster Agency.

No firefighters were injured. But for emergency teams, knowing what chemicals they are facing is critical, Lolli said. "I don't know why they didn't" file the reports, he said. "It certainly takes away an advantage."

Representatives of Nova-Kem didn't respond to requests for comment.

There are hundreds of thousands of sites nationwide required to report hazardous chemical inventories under the Tier II system. Some 500,000 chemicals are subject to the requirement.

60 DEATHS

Since 2005, accidents at facilities storing 140 Tier II chemicals that have been deemed most dangerous by the Environmental Protection Agency have resulted in approximately 60 deaths, more than 1,300 injuries and more than $1.6 billion in onsite and off-site damages, according to a 2013 EPA report to Congress.

The Tier II system came under scrutiny after the explosion of a fertilizer plant in West, Texas, in April. Minutes after firefighters arrived, 40 tons of ammonium nitrate exploded, killing 11 first responders. Though federal officials say a Tier II report was on file at the fire department, surviving firefighters told Reuters they had never seen a report detailing what chemicals were stored at the factory. Had they known, they may well have stayed outside the blast zone.

Such errors and omissions can go unnoticed for years because the federal regulator that oversees the Tier II system-the EPA-and most state agencies make no effort to verify the data.

EPA officials declined to discuss the reporting program. In a statement, the agency said state and county officials

are responsible for ensuring the accuracy of the reports.

The EPA has no system for actively auditing Tier II reports. But it does inspect sites for Tier II reporting issues after receiving a complaint or during a visit to examine compliance with other statutes and regulations.

As a result, the agency has identified at least 95 cases of companies that it says failed to file reports correctly since the beginning of 2012.

One problem that the EPA didn't spot involved Cleveland-based explosive company Austin Powders. In 2012, its plant in Gonzales, Texas, reported storing as much as 40,000 pounds of ammonium nitrate in the middle of a residential area.

In fact, Austin Powders didn't have any raw ammonium nitrate in Gonzales, said David True, the company's president. However, the company should have reported as much as 40,000 pounds of a much more volatile substance, a combination of ammonium nitrate and fuel oil used as an explosive, True said.

'HUGE PROBLEM'

And the explosives were not located at the reported site. The real storage site was seven miles away and not identified in documents provided to the fire department.

An employee described the chemical incorrectly and inaccurately listed the material as being at the company's Gonzales office instead of at its storage facility, True said.

Gonzales fire marshal Mike Terry said he had no idea Austin Powders stored tons of explosives at the depot before being informed by a reporter. If firefighters blindly responded to a fire at the site, they could have been killed in an explosion, he said.

"There's a huge problem with the Tier IIs, no doubt about it," Terry said.

True agreed the mistake on the Tier II was dangerous. But he said inaccurate reporting is an industry-wide problem that stems from a lack of oversight by state and federal agencies.

"When you do something and you don't get any feedback, you just sort of do it and get it over with," he said. "So it wouldn't surprise me if a lot of people were making mistakes out there."

Diane Heminway, a safety specialist at the United Steel Workers labor union, said the system has been streamlined so that filing correct reports is simple. And federal law makes it clear which chemicals need to be reported, by mandating that all dangerous chemicals shipped in the United States must be supplied with a Material Safety Data Sheet that details the hazards.

"It's a matter of filling out a form," she said. "It's not a lot of paperwork."

A few states, including Oregon and Michigan, make an effort to check the reports for errors.

Officials at the Oregon Office of the State Fire Marshal, for example, review nearly 22,000 reports every year and sometimes visit facilities to check inventories.

'IMPERFECT SYSTEM'

Many states, such as Utah and Kentucky, rely on county officials and local fire departments to verify the reports.

Mark Kaszniak, a safety specialist at the U.S. Chemical Safety Board, a federal investigative body, said local oversight works well in heavily industrialized areas. These tend to have well trained plant employees and first responders, and capable emergency-management departments. These local officials can identify reporting flaws and work with facility managers to correct them.

But in large parts of the country, local fire departments, often staffed by volunteers, can't afford to employ hazardous-material experts to ensure compliance. "Most of these fire departments just don't have time to get to all of those inspections, so they rely on the Tier II data to tell them what's there," Kaszniak said. "It's an imperfect system."

Even when facilities report accurately, states sometimes introduce errors into the system.

The Illinois Emergency Management Agency posted inaccurate hazardous chemical-storage data on its website earlier this year. The data indicated hazardous chemicals at a site even when a facility had stopped reporting chemical stores years ago.

The errors came into play only in cases when data was downloaded for the entire state, which did not happen often, said agency spokeswoman Patti Thompson. The problem was fixed after reporters brought it to the attention of the department.

'IT'S JUST AN ERROR'

Similar data obtained from the Wisconsin Division of Emergency Management was filled with hundreds of inaccuracies. The data indicated that companies which no longer existed were still storing hazardous chemicals.

The data showed Amron LLC, an ammunition manufacturer, stored hydrogen chloride, sulfuric acid, nitric acid, propane and anhydrous ammonia at a plant in Waukesha, Wisconsin, in 2012. But the company said it shuttered the facility in 1998.

Wisconsin officials could not explain the errors and said they didn't know how to fix them. They said the inaccurate information wasn't shared with first responders.

"It's not that it's not a big deal, it's just an error," said Lori Getter, a crisis-communications manager for the Wisconsin Division of Emergency Management. "We had some computer glitches. Is it threatening the public safety? No."

Failing to report the existence of a hazardous material may be more dangerous. But reports that falsely flag the presence of a dangerous substance can also create safety risks, said Neal Langerman, chemical-safety officer at the American Chemical Society, a professional organization for chemists.

False-positive reports can drastically change how responders might react to an emergency. If a factory incorrectly reports storing an explosive such as ammonium nitrate, for instance, the fire department may decide to

let a fire burn that might otherwise have been extinguished. This could cause injuries to employees, property damage or even a chemical release that threatens the surrounding community.

EMERGENCY CALCULUS

Bloomington, Illinois-based Evergreen FS reported storing as much as 99,999 pounds of ammonium nitrate and anhydrous ammonia at each of three facilities in the state.

But in reality, the farm-supply company stored a diluted form of ammonium nitrate that doesn't pose an explosion risk, said Brent Owen, the company's safety and regulatory manager.

Based on the filings, first responders would likely allow a fire burn itself out, fearing an explosion like the one in West, Texas. However, the anhydrous ammonia tanks would then be vulnerable to rupturing and releasing a toxic cloud. In fact, there would be no risk of explosion, and dousing the tanks would be the correct response.

Evergreen FS's report was technically in compliance, he said: Companies are permitted to report a mixture's constituent chemicals separately or as a combined substance. But reporting the chemicals separately created an unclear picture for first responders. In the future, the company will report mixtures on Tier II reports, Owen said.

Policing wrong or ambiguous reports is difficult for local and county officials with limited or no real enforcement capacity, said Danny Blevins, chairman of the emergency planning committee in Rowan County, Kentucky, site of the Carhartt chlorine leak.

"We just hope that (the companies) are good neighbors and are filing the proper forms," he said.

AGENDA ITEM ~~5~~ 6 - C

REVOLVING LOAN FUND (RLF)

Informational Summary

Attached are the following revolving loan fund updates for Board review:

- RLF Update
- RLF Loan Re-Cap Sheets
- Watson Baled Straw LLC, Loan Request ARPC Staff Summary
- Leon Marlow, Loan Request ARPC Staff Summary Still Working On this one

ACTION NEEDED

Motion to approve the recommendations of the ARPC Revolving Loan Fund Committee

ECONOMIC DEVELOPMENT ADMINISTRATION - page 2
REVOLVING LOAN FUND RE-CAP SHEET - AS OF JULY 17, 2013

Borrower	Loan Date Int. Rate Term	Loan Amount	Loan Balance	Monthly Payment Amount	Date of Last Payment	Remarks
6. **TIFCO Enterprises, Inc.** *Foam Insulation Service* (Gulf County)	Apr-12 6% 5 years	100,000.00	79,268.58	1,933.29	7/16/13	Current
7. **Watson Baled Straw** *Pine Straw Harvester* (Calhoun County)	Oct-12 7% 7 months	40,000.00	0.00	10% of sales after 3/1/13 monthly interest pmt	7/16/13	Paid Off
8. **Mason Dixon, LLC** *Food Service Vendor* (Gulf County)	Nov-13 7% 5 years	26,000.00	25,636.83	514.84	7/12/13	Current

ECONOMIC DEVELOPMENT ADMINISTRATION - page 1
REVOLVING LOAN FUND RE-CAP SHEET - AS OF JULY 17, 2013

Borrower	Loan Date Int. Rate Term	Loan Amount	Loan Balance	Monthly Payment Amount	Date of Last Payment	Remarks
1. Southland Milling Co. *Wholesale Grain Elevator* *Consolidated Loan (Calhoun County)	Feb-11 7% 10 years	89,685.89	73,974.89	1,041.33	6/26/13	Current
2. CAS Chidcare Center *Daycare* (Calhoun County)	Dec-06 9% 10 years	35,000.00	25,609.20	241.74	7/1/13	Current
3. Burke & Co. *Family Hair Care* (Liberty County)	Feb-12 7% 10 years	17,487.43	14,304.93	203.05	7/3/13	Current
4. Tolliver's Inc. *Gift Shop / Catering* (Franklin County)	Aug-11 7% 5 years	12,500.00	7,995.47	247.52	7/1/13	Current
5. Busy Bee Child Center *Day Care* (Gulf County)	Feb-11 7% 5 years	10,000.00	7,756.45	198.02	6/27/13	Current

SMALL BUSINESS REVOLVING LOAN FUND - page 1
REVOLVING LOAN FUND RE-CAP SHEET - AS OF JULY 17, 2013

Borrower	Loan/ Orig. Date Int. Rate Term	Original Loan Amount	Principle Balance	Monthly Payment Amount	Date of Last Payment	Remarks
1. **Tri-State Pest Control** *Pest Control & Insulation Service* (Gulf County)	Apr-01 4.75% 10 years	49,500.00	0.00	250.00	7/16/13	Paid Off
2. **Rusty Crum Seafood** *Seafood Processor* (Franklin County)	Dec-08 8% 8 years	50,000.00	25,038.73	694.20	7/12/13	Current
3. **Hatcher's Shaved Ice** *Concessions* (Liberty County)	Apr-10 7% 10 years	23,000.00	17,530.12	267.05	6/23/13	Current

Leon Watson - Watson Baled Straw LLC
Post Office Box 210
Altha, FL 32421 (Calhoun County)

Project Summary

Leon Watson is the Owner/President of Watson Baled Straw LLC. Mr. Watson plans to use the loan proceeds as working capital from now until March 2014 when the peak spring pine straw shipping season begins. He is requesting a loan of $40,000 to be paid in full on or before August 31, 2013. Initially, he will make interest-only monthly payments until March 1, 2013, when a weekly principal and interest payment of $2,000 will begin and continue until the loan is fully paid off on August 31, 2013.

Job Creation

Mr. Watson is the full time owner/operator of the business. Additionally he has two full-time employees, and one full-time subcontractor. The sub-contractor coordinates a full-time crew of approximately 25 people year round.

Collateral

Mr. Watson is offering his inventory of business tractors as collateral for the loan. A conservative total resale value of the tractors is $69,500. The ARPC retained its UCC liens on all of the equipment pledged and its first position on Mr. Watson's life insurance policy, in anticipation of future loans with the company.

Weaknesses

All of the real property owned by Mr. Watson is pledged for collateral on other loans. Mr. Watson has a bankruptcy within the past 7 years on his credit which continues to prohibit him from retaining a working capital loan through traditional financing.

Strengths

For over ten years, Mr. Watson has provided consistent employment for 25 poverty level individuals in the Calhoun, Liberty and Gadsden County area. Prior to moving to Florida he operated a pine straw baling business for 22 years in Perry, GA. His relationship with his land lease-holders, wholesale buyer and other straw balers in the area is solid. As a direct result of having the off season working capital available from the ARPC to retain the employees to prep land leases for spring straw baling, Mr. Watson has recorded in 2012 his best spring harvest since reorganizing his business in 2009. From the ARPC RLF, Mr. Watson borrowed $30,000 in 2010, $40,000 in 2011, and $40,000 in 2012. All payments were made timely and all terms of the note were carried out as agreed on the three previous loans. The loan committee discussed during the initial review of this loan the possibility of re-loaning funds to the company on an annual basis to assist in assuring the continued employment of the workers during the off season.

Staff Recommendation

ARPC staff recommends approval of the $40,000 loan to Mr. Watson, at an interest rate of 7% with the terms as requested above. Staff recommendation is based on the loan to value ratio, the positive commitment to repayment exhibited by Mr. Watson during the previous loan relationships, and to the potential job retention which would be provided by the loan. Other than a new promissory note, no new liens will have to be filed to secure the loan as all of the documents pledging the said collateral to the ARPC, remain current and are still in place.

AGENDA ITEM 6 - D

TRANSPORTATION DISADVANTAGED PROGRAM
Florida Commission for the Transportation Disadvantaged Contract

Informational Summary

Board Member Appointments

The Executive Director appointed the following members to the local Transportation Disadvantaged Coordinating Boards effective July 1, 2013. All terms will end June 30 on the year listed.

COUNTY	*MEMBER*	*POSITION*	*TERM ENDING*
Calhoun	Margaret Onraet	Disabled	2016
Calhoun	Tammy Rushing	Veterans	2016
Franklin	Charles Elliott	Veterans	2016
Gulf	Inez Matthews	Disabled	2016
Gulf	James Kennedy	Veterans	2016
Jackson	Richard A. Hand	Disabled	2016
Jackson	Charlotte Gardner	Public Education	2016
Liberty	Barbara Jacobs	Elderly	2016
Liberty	Joe Wall	Disabled	2016
Liberty	Susan Chafin	Medical	2016

ACTION NEEDED

Motion to approve the Executive Director's appointments to the designated local Transportation Disadvantaged Coordinating Boards.

Distribution of Planning Related Grants

"Planning related grant funds will be apportioned for distribution to the planning agencies as follows: (a) 25% of the planning allocation shall be divided into shares equal to the percentage of population each county has relative to the total state population, with each planning agency receiving a share for each county within its jurisdiction; (b) 75% of the planning allocation shall be divided into shares equal to the number of counties throughout the state, with each planning agency receiving no more than one share for each county within its jurisdiction." 41-2.014(6) F.A.C.

Allocation for Fiscal Year 2013-2014

The Florida Commission for the Transportation Disadvantaged funding allocation for the period July 1, 2013, to June 30, 2014 is as follows. The allocation is a 10% increase for each county listed over the previous year's allocation.

COUNTY	ALLOCATION
Calhoun	$ 19,065
Franklin	$ 18,996
Gulf	$ 19,093
Jackson	$ 19,846
Liberty	$ 18,926
TOTAL	**$ 95,926**

Contract

The Florida Commission for the Transportation Disadvantaged, in an effort to streamline the administrative effort and cost associated with planning contract reimbursement, supporting documentation, focus on the actual contract deliverables and affording greater flexibility in getting the job done, and the format of the planning grant contract has developed a firm, fixed price, deliverable based contract determined by the weighted value of specific tasks. The planning grant project description and responsibilities remain the same as the current requirements and are provided on the following pages.

Project Description & Responsibilities

The Transportation Disadvantaged Planning Grant provides for the accomplishment of the duties and responsibilities of the Designated Official Planning Agency as set forth in Chapter 427, Florida Statutes, Rule 41-2, Florida Administrative Code, Florida Commission for the Transportation Disadvantaged Policies and the Program Manual for Transportation Disadvantaged Planning Related Services as revised on April 27, 2012. Specific required tasks are as follows:

TASK 1: Weighted value= 17%

Jointly develop and annually update the Transportation Disadvantaged Service Plan with the community transportation coordinator and the local coordinating board.

TASK 2: Weighted value= 15%

A. When necessary and in cooperation with the local coordinating board, solicit and recommend a community transportation coordinator, in conformity with Chapters 287 and 427, Florida Statutes. Such recommendation shall be presented to the Commission by Planning Agency staff or their designee as needed, **OR**
B. Provide staff support to the local coordinating board in conducting an annual evaluation of the community transportation coordinator, including local developed standards as delineated in the adopted Transportation Disadvantaged Service Plan. Assist the Commission for the Transportation Disadvantaged in joint reviews of the community transportation coordinator.

TASK 3: Weighted value= 40%

Organize and provide staff support and related resources for at least four (4) local coordinating board meetings per year, holding one meeting during each quarter.

LCB meetings will be held in accordance with the Commission's most recent Local Coordinating Board and Planning Agency Operating Guidelines and will include at least the following: (1) Agendas for local coordinating board meetings. Where applicable, operator payments should be addressed as a standard agenda item for each meeting. (2) Official minutes of local coordinating board meetings and committee meetings (regardless of a quorum). A copy will be submitted along with the quarterly report to the Commission. Minutes will at least be in the form of a brief summary of basic points, discussions, decisions, and recommendations. Records of all meetings shall be kept for at least five years. (3) A current full and active membership of voting and non-voting members to the local coordinating board. Any time there is a change in the membership; provide the Commission with a current membership roster and mailing list of local coordinating board members. (4) A report of the LCB membership's attendance at the last 4 consecutive LCB meetings (not committee's).

Provide staff support for committees of the local coordinating board.

Provide public notice of local coordinating board meetings in accordance with the most recent Local Coordinating Board and Planning Agency Operating Guidelines.

Provide program orientation and training for newly appointed local coordinating board members.

TASK 4: Weighted value=4%

Provide at least one public hearing annually by each local coordinating board, and assist the Commission, as requested, in co-sponsoring public hearings. This public hearing must be in addition to the local coordinating board meetings. It may, however, be held in conjunction with the scheduled local coordinating board meeting (immediately following or prior to the local coordinating board meeting).

TASK 5: Weighted value=4%

Develop and annually update by-laws for local coordinating board approval.

TASK 6: Weighted value=4%

Develop, annually update, and implement local coordinating board grievance procedures in accordance with the Commission's most recent Local Coordinating Board and Planning Agency Operating Guidelines. Procedures shall include a step within the local complaint and/or grievance procedure that advises a dissatisfied person about the Commission's Ombudsman Program.

TASK 7: Weighted value=4%

Review and comment on the Annual Operating Report for submittal to the local coordinating board, and forward comments/concerns to the Commission for the Transportation Disadvantaged.

TASK 8: Weighted value=4%
Research and complete the Actual Expenditures Report for direct federal and local government transportation funds to the Commission for the Transportation Disadvantaged no later than September 15th. Complete the Actual Expenditure Report, using the Commission approved forms.

TASK 9: Weighted value=4%
Develop and provide the local coordinating board with quarterly progress reports of transportation disadvantaged planning accomplishments and planning contract deliverables as outlined in the planning grant agreement and any other activities related to the transportation disadvantaged program, including but not limited to, consultant contracts, special studies, and marketing efforts.

TASK 10: Weighted value=4%
Attend at least one Commission sponsored training, including but not limited to, the Commission's regional meetings, the Commission's annual training workshop, or other sponsored training.

2013-2014 TD Local Coordinating Board Meeting Schedule

Meeting locations, dates and times may change. Please contact staff for current information regarding the meetings.

COUNTY	*TIME & PLACE*	*SEPTEMBER 2013*	*NOVEMBER 2013*	*FEBRUARY 2014*	*JUNE 2014*
Calhoun	2 PM CT Sr. Center Blountstown	**9**	**14**	**10**	**9**
Franklin	10 AM ET Courthouse Apalachicola	**11**	**13**	**12**	**11**
Gulf	2 PM ET Gulf Transp. Office Port St. Joe	**11**	**13**	**12**	**11**
Jackson	10 AM CT JTrans Marianna	**9**	**14**	**10**	**9**
Liberty	10 AM ET Civic Center Bristol	**10**	**12**	**11**	**10**

Florida Rural Transit Assistance Program Paratransit (RTAP) Roadeo

The Annual RTAP Florida Paratransit Roadeo is an opportunity for Florida paratransit drivers to gain recognition for their driving skills. While there are awards for the top finishers, winning is not the primary reason for the competition. The Florida Paratransit Roadeo is an opportunity to test driver limits, improve driver skill levels, and provide an opportunity to learn from peers. Training opportunities are available for contestants to take advantage of prior to the contest. Skills are tested with a written test and then participants face the challenging course competition. The weekend event is culminated with an Awards Banquet to recognize the champions in both the van and cutaway/small bus divisions.

The 17th Annual RTAP Paratransit Roadeo was hosted by LeeTran in Fort Myers on April 19-20, 2013. This year's winners of the Roadeo are:

In the Van Division, Raymond Aylmer (Gulf County) came in first (scored 690 out of 1,000 points), Tommy Griffis (Jackson County) placed second (scored 670 out of 1,000 points) and Frank Dyar (Liberty County) came in third (scored 642 out of 1,000 points). Rookie of the Year was a Big Bend Transit driver, Benjamin Aikens (scored 452 out of 1,000 points). Winning the highest written test score with 46 points out of a possible 50 points was Tommy Griffis, Jackson County. Raymond Aylmer was the winner of the Pre-Trip Inspection (scored 120 out of 150 points). The "Yardstick" Award is awarded to the driver with the lowest combined scores of the actual measurement at each of the two passenger stops and the judgment stop. This year's Yardstick winner was Tommy Griffis of Jackson County (40").

In the Cutaway/Small Bus Division, Linda Attaway (Jackson County) placed second (scored 786 out of 1,000 points). Winning the Pre-Trip Inspection (scored 120 out of 150 points) was Tim Smith, Calhoun County.

As Florida Paratransit Roadeo Van Champion, Raymond Ayler (Gulf County) competed at the National Paratransit Roadeo in Albuquerque, New Mexico on June 1-2 and won First Place.

ACTION NEEDED

None