



Environmental Protection Board Members

David Wood - Chairman
Thomas Deck – Vice Chairman
Roi Dagan, MD, Charles Garrison, Adam Hoyles
Beth Leaptrott, Clint Noble, Guillermo Simon

Education & Public Outreach

David Wood – Chair
Charles Garrison
Thomas Deck

Air Odor Noise Committee

Thomas Deck – Chair
Charles Garrison
Adam Hoyles
Clint Noble
Guillermo Simon

Water Committee

Charles Garrison – Chair
Roi Dagan, MD
Adam Hoyles
Beth Leaptrott
Clint Noble
Guillermo Simon

Jacksonville Environmental Protection Board
Monday, January 18, 2022
MONTHLY MEETING SUMMARY

MEMBERS PRESENT:

David Wood, Chair
Adam Hoyles
Charles Garrison

Thomas Deck, Vice-Chair
Guillermo Simon
Clint Noble

MEMBERS NOT PRESENT:

Beth Leaptrott

Roi Dagan, M.D.

STAFF/RESOURCES PRESENT:

James Richardson, JEPB Administrator
Cherry Pollock, OGC

Melissa Long, EQD Chief
Terry Carr, EQD Water Branch

VISITOR(S) PRESENT:

Jennifer Casey, DSWCD
Steve Patterson, FTU

CALL TO ORDER

DAVID WOOD

INTRODUCTIONS

Chair Wood called to order the monthly meeting of the Jacksonville Environmental Protection Board (JEPB) at 5:00 pm. A quorum was established.

CHAIRMANS REMARKS

The Chair recognized Clint Noble as a newly appointed member and allowed him to say a few words of introduction.

COMMENTS FROM THE PUBLIC

None

APPROVAL OF MINUTES

- Minutes of December 13, 2021, Monthly Meeting

A motion to approve the minutes was made (Simon), properly seconded (Deck) and approved by the body.

CONSENT ORDERS

Air/Noise

- **None**

Water

- **None**

ENFORCEMENT REPORT

TREE KILBOURN

No updates or questions.

PRESENTATION(S)

- Plans to Meet BMAP Goals by 2023

MELISSA LONG

Chief Long shared information about the BMAP requirements and the process used by the City to comply. She then fielded questions from the members.

PUBLIC HEARING(S)

- none

COMMISSION & JEPB COMMITTEE UPDATES

- **Waterways Commission** – Mr. Hoyles shared the discussions around coal ash resolution they are considering are being sidelined for now, more derelict vessels have been removed and other procedural and budget items were discussed
- **KJB Commission** – no report
- **JEPB Water Committee** – Mr. Carr shared highlights from the branch report distributed with the meeting packet and addressed questions.
- **JEPB Air Committee** – Chief Long shared highlights from the report distributed with the meeting packet and addressed questions.
- **JEPB Education & Outreach Committee** – no report

EPB ADMINISTRATOR REPORT

Mr. Richardson referred members to the report provided in the packet. He shared that Dr. Sonnenberg will present on the mercury study at the February meeting and a potential schedule for rulemaking for JEPB Rule 3.

ENVIRONMENTAL QUALITY DIVISION REPORT

Chief Long had no report.

OLD BUSINESS

none

NEW BUSINESS

- **Funding Request – State of the River Report**

Dr. Gerry Pinto shared information about the State of the River Report and thanked the members for past support. He fielded a few questions from members. Mr. Richardson then shared his staff review of the request, including recommendation to approve the request with conditions (staff report attached). During discussion, members directed Mr. Richardson to discuss future funding with the Administration in hopes that they will add funding for the report to the City's general budget.

A motion to approve the request and conditions as recommended by staff was made (Deck), properly seconded (Hoyles) and approved by the body.

- **Funding Request – DSWCD Natural Resources Education**

DSWCD Supervisor Jennifer Casey shared information about activities that the funding request would provide for and thanked members for past support. Mr. Richardson then shared his staff review of the request, including recommendation to approve the request with conditions (staff report attached).

A motion to approve the request and conditions as recommended by staff was made (Deck), properly seconded (Hoyles) and approved by the body.

- **Election of JEPB Chair**

Mr. Richardson shared that the normal timeline for officer elections was not followed and that elections needed to take place now. The term would be through September 2023. The Chair then opened the floor for nominations.

Mr. Deck nominated David Wood for Chair. There being no others, the Chair closed the nominations. A motion to approve Mr. Wood as Chair was made (Garrison), properly seconded (Simon) and approved by the body.

- **Election of JEPB Vice-Chair**

The Chair opened the floor for nominations.

Mr. Hoyles nominated Tom Deck for Vice-Chair. There being no others, the Chair closed the nominations. A motion to approve Mr. Deck as Vice-Chair was made (Hoyles), properly seconded (Simon) and approved by the body.

ITEMS REFERRED TO COMMITTEES

none

NEXT SCHEDULED BOARD MEETING(S)

- JEPB Committees
 - Air Committee – TBD
 - Water Committee – likely February 28, 2022
 - EPO Committee – TBD
- JEPB Steering Committee – February 14, 2022, at 4:00 pm
- JEPB Monthly Meeting – Tuesday, February 22, 2022, at 5:00 pm

The meeting was adjourned at 6:37 pm.

STAFF REPORT FOR FUNDING REQUEST
PROPOSED FUNDING FOR STATE OF THE RIVER REPORT
JANUARY 2022

The JEPB Program Administrator forwards to the Jacksonville Environmental Protection Board its comments and recommendation regarding the above referenced funding request.

Requesting Organization: Jacksonville University

Project Name: Fifteenth, Sixteenth and Seventeenth State of the River Report for the Lower St. Johns River Basin

Amount of Request: \$296,741.00

Staff Recommendation: Approve with conditions

GENERAL INFORMATION

The objectives of this project are to write and publish the *Fifteenth, Sixteenth, and Seventeenth State of the Lower St. Johns River Basin Report (LSJRB)* and a single-page Brochure that explains the current health of the LSJRB. The Report is a scientific review of the basin's health that is understandable and interesting to the public. The Report will be written by a team of academic researchers from Jacksonville University (JU), the University of North Florida (UNF), Florida Southern College, and West Chester University (WCU). It will undergo an extensive review process including local stakeholders and an expert panel with the expertise and experience in various disciplines to address the multi-faceted nature of the data, and will be published in the summers of 2022, 2023 and 2024.

Key Features of the New Proposal:

This proposal includes several ongoing and new items:

- The tributaries section will be updated with the most recent annual data and advisories so that the public can better assess current conditions and data gaps.
- New information from studies on microbial source tracking will be included.
- An education and outreach section to include K-12 aspects of the project addressing the use of hands-on water quality testing kits for K-12 students, lesson plans, and documentation of outreach, educational, and media activities. Teachers and teachers-in-training will be trained on the use and usefulness of these kits in meeting required curriculum standards, facilitating K-12 students sampling water from LSJRB tributaries in their neighborhoods or in the region.
- This proposal requests support for the 2022, 2023, and 2024 Reports, including the Report, single-page color Brochure, Appendix of supplementary data, public website, and K-12 components.

CRITERIA FOR REVIEW

Pursuant to Jacksonville Ordinance Code Section 360.601, the Jacksonville Environmental Protection Board shall evaluate and consider the following criteria of a request for use of the Environmental Protection Fund (FUND):

1. ***Is this an appropriate use of the FUND pursuant to Sec. 360.602 Ord. Code?***
Yes. Section 360.602(f), Ord Code, provides for the use of the fund to conduct studies, surveys, tests and investigation which are unique and of a onetime nature. The proposed project meets this criterion as it will survey existing conditions and assess the health of the lower St. Johns River basin.

2. ***Will granting of this request reduce the balance of the FUND below \$100,000 as required pursuant to Sec 360.602(f) Ord Code?***
No.
3. ***Is there a sufficient fund balance available to support the request?***
Yes. The estimated balance of the fund available for projects currently is \$365,000.

SUPPLEMENTAL INFORMATION

The Report has been published annually since 2008 and has been primarily funded through the City of Jacksonville's Environmental Protection Board (EPB) as one component of the River Accord. It was supported in 2010 by the River Branch Foundation as well.

The topical coverage of the report includes an introduction, and then sections on water quality, including salinity; fisheries; aquatic life; and contaminants, including aquatic toxicology. In 2011, a special section on unusual events in 2010 was published. The Report itself is approximately 346 pages with the complete suite of deliverables including the Report, a color Brochure, an Appendix, and a public website hosting PDF version of all three.

The Report has been disseminated by several methods and its impact can be evaluated by many measures. Every year the Report's release is publicized through JU, UNF and other efforts with print and broadcast media. Each year, the Report has been featured in various media platforms including the Florida Times-Union, Jacksonville Business Journal, Florida Specifier, Mandarin News Line, WJCT (online events and ADAPT series), including First Coast Connect, WOKV, and First Coast News. Findings are released each year at the Environmental Symposium. In addition, presentations are available on request, and venues include area CPACs, MOSH, Jacksonville Science Festival, Earth Day, Beaches Watch, etc.

The Report was also adapted and expanded into a book chapter on the St. Johns River Basin in the 2012 release of the United Nations World Water Development Report 4 (WWDR4), the UN's main publication on global water resources. The St. Johns River case study was the first United States river in the series.

The JEPB funding currently represents 100% of the project costs. At the request of previous City Council's, discussions will be taking place with the Administration to consider including annual funding for subsequent reports in the City budget.

RECOMMENDATION

Based on the foregoing, it is the recommendation of the JEPB staff that the funding request be approved with the following conditions:

1. Seek approval of an appropriation of \$97,000 to Jacksonville University to provide funding for the Fifteenth State of the River Report to be disbursed per terms outlined in a research agreement.
2. Seek approval of the research agreement
3. Seek waivers of Sec. 111.755 and Sec 360.602 to allow for continued funding of the report
4. Seek exception to Sec. 126.107(g), Ord Code as Jacksonville University will be listed in the authorizing legislation.
5. Seek waiver of Sec. 110.112, Ord Code to allow for the advance of City funds



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Air Odor Noise Committee

Thomas Deck – Chair
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Education & Public Outreach

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Water Committee

Charles Garrison – Chair
Roi Dagan, MD
Adam Hoyles
Beth Leaptrott
Clint Noble
Guillermo Simon

Jacksonville Environmental Protection Board
Monday, April 18, 2022
MONTHLY MEETING SUMMARY

MEMBERS PRESENT:

David Wood, Chair
Adam Hoyles
Charles Garrison
Guillermo Simon

Thomas Deck, Vice-Chair
Roi Dagan
Clint Noble

MEMBERS NOT PRESENT:

Beth Leaptrott

STAFF/RESOURCES PRESENT:

James Richardson, JEPB Administrator
Cherry Pollock, OGC
Natalie Frandsen, OGC

Melissa Long, EQD Chief
Terry Carr, EQD Water Branch
Mike Williams, EQD Air Branch

VISITOR(S) PRESENT:

John Nooney
Anne Coglianese
Dr. Pinto
JEA Representatives

CALL TO ORDER

DAVID WOOD

INTRODUCTIONS

Chair Wood called to order the monthly meeting of the Jacksonville Environmental Protection Board (JEPB) at 5:00 pm. A quorum was established.

CHAIRMANS REMARKS

None

COMMENTS FROM THE PUBLIC

Carnell Oliver – Discussed the need for a regional approach to resilience which would allow for a larger pot of funding for the 7 counties in the region.

John Nooney – appeared again to share concerns with some parcels along Pottsburg Creek in the area of Parental Home Road.

APPROVAL OF MINUTES

The approval of the minutes for March will take place at the May Board meeting.

CONSENT ORDERS

Air/Noise

- **Elev8 Partners, LLC d/b/a Elev8 Demolition (AP-22-04)** - Failure to comply with asbestos NESHAP notice requirements for demolition or renovation

Respondent's corrective actions: Surveys and clearance letter document RACM abated prior to demolition

Consent Order settlement fee: **\$250**
1. Surveys on all buildings complete, ACM removed and Clearance documents for all buildings. Notice filed with start date same date as notice date. Demolition started prior to revised notice being received:
Late, incomplete or inaccurate renovation notice - \$250 1st violation

Consent Order requirements: None

A motion to approve the consent orders was made (Deck), properly seconded (Simon) and approved by the body.

- **Archer Western Contractors, LLC (AP-22-03)**
Failure to conduct annual visible emissions ("VE") compliance test by December 31, 2021 for calendar year 2021

Respondent's corrective actions: Re-test demonstrated compliance

Consent Order settlement fee: **\$900**
1. Report submitted and report review documented compliance
2. Test conducted 3/8/2022
Potential for Harm – Minor, Extent of Deviation – Major

Consent Order requirements: None

A motion to approve the consent orders was made (Deck), properly seconded (Simon) and approved by the body.

Water

- **Jacksonville Alliance for Kipp Schools, Inc., Summit Construction Management Group, LLC, and Jax Dirtworks, Inc. (WP-21-70)** - Unlawful discharge of non-stormwater and turbid water to City separate stormwater sewer system ("MS4"); Failure to comply with erosion and sediment control requirements

Respondent's corrective actions: Initial BMP Assessment provided with Citation response

Consent Order settlement fee: **\$2,300**

1. 12/8/2021 Insufficient BMPs/failure to maintain BMPs resulting in unlawful discharge of non-stormwater and turbid water to MS4 from a dewatering discharge hose placed directly at the MS4
2. Sample at point of discharge from the Project to MS4 – 70 NTUs
3. Sample upstream of the Project drainage flows and in the MS4 – 1.5 NTUs
4. State water quality standards for turbidity is <29 NTUs above natural background [allowed 30.5 NTU]
Potential for Harm – Moderate: Discharge of nonstormwater or turbid discharge to MS4
Extent of Deviation – Moderate: Direct discharge to MS4 with sampling results of 130% to 170% and above over standard

Consent Order requirements: Immediately upon the effective date: Monitor, sample, notify EQD and report to EQD until Final Stabilization
Within 14 days of the effective date: Perform/Revise BMP Assessment
Within 21 days of the effective date: Submit BMP Assessment to EQD
Within 28 days of the effective date: Implement BMP Assessment

A motion to approve the consent orders was made (Dagan), properly seconded (Noble) and approved by the body.

- **JEA and The Kenton Group, Inc. d/b/a Baldwin's Quality Plumbing (WP-21-67)** - Unlawful discharge of non-stormwater, including but not limited to sediment, to City separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements

Respondent's corrective actions: BMP Assessment provided with Citation response

Consent Order settlement fee: **\$3,000**

- 8/26/2021 EQD inspection documented insufficient BMPs at some MS4 with failure to maintain BMPs, and no BMPs at other MS4 inlets resulting in the direct discharge of non-stormwater (sediment and debris) to MS4
Moderate Potential for Harm - Discharge of nonstormwater or turbid discharge to MS4

	Minor Extent of Deviation - Discharge of nonstormwater to MS4 or turbid discharges to MS4 with sampling results less than 130% and with little possibility of runoff reaching surface water or wetland \$1,500
9/9/2021	Contractor response email to Notice to Correct - corrective actions performed
9/10/2021	EQD inspection documented insufficient BMPs/failure to maintain BMPs resulting in the direct discharge of non-stormwater (sediment and debris) to MS4 Moderate Potential for Harm - Discharge of nonstormwater or turbid discharge to MS4 Minor Extent of Deviation - Discharge of nonstormwater to MS4 or turbid discharges to MS4 with sampling results less than 130% and with little possibility of runoff reaching surface water or wetland \$1,500

<u>Consent Order requirements:</u>	Immediately upon the effective date: Monitor, sample, notify EQD and report to EQD until Final Stabilization Within 14 days of the effective date: Perform/Revise BMP Assessment Within 21 days of the effective date: Submit BMP Assessment to EQD Within 28 days of the effective date: Implement BMP Assessment
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A motion to approve the consent orders was made (Deck), properly seconded (Simon) and approved by the body. Noble declared conflict and abstained from the vote.

- **Pelican Pointe Gardens, LP and Four/Four Corporation cross reference Four/Four Corporation of Delaware, Inc. (WP-21-67) – Amended Consent Order** - Unlawful discharge of untreated wastewater to the ground, surrounding environment and stormwater; Failure to maintain wastewater collection/transmission system to function as intended; Unlawful bypass of system or treatment facility; Failure to comply with sewerage design standards; Failure to have compliant, recorded OMR Agreement; Failure to notify EQD of discharge and provide required records

<u>Respondent's corrective actions:</u>	While OMR was in completion and after consulting with legal and engineering professionals, Four/Four Corporation has elected to make independent connection to a JEA point of connection.
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<u>Consent Order settlement fee:</u>	Assessed \$8,000
7/10/2021	Unlawful discharge of untreated wastewater to ground, surrounding environment and stormwater (FDOT or City municipal separate stormwater sewer system), failure to comply with design standards, failure to notify EQD and failure to have compliant OMR agreement for shared/manifolded system between two or more private property owners Major potential harm and major extent of deviation Previously approved mitigation modified. Due to proposed amendments in Rule 3 with final hearing

April 18 parties must now commit in writing by May 6, 2022 to complete telemetry requirement at both pump stations upon construction/repairs or pay \$8,000 within 30 days of approval of Amended Consent Order.

Consent Order requirements:

Consent Order has been amended based upon independent connections
Four/Four Corporation for 1403 Dunn System:
DEP Permit application: No later than 6/30/2022
DEP Clearance package: No later than 10/15/2022
Monthly Status Report and Maintenance Records: Beginning 4/30/2022
Pelican Point for 1333 Dunn System:
Complete Engineer Report: Within 60 days after disconnection of 1403 Dunn System Project deadlines based on EQD accepted Engineer Report
DEP Permit application (if required): Within 60 days of notification by EQD
Final Engineer Report: Deadline set by EQD after review of Engineer Report and/or DEP permit issuance
Monthly Status Report and Maintenance Records: Beginning 4/30/2022 with maintenance records

A motion to approve the consent orders was made (Deck), properly seconded (Hoyles) and approved by the body.

- **Malabar Motel and Mobile Home Park LLC (WP-21-45)** - Unlawful discharge of untreated wastewater to the ground and surrounding environment; Failure to maintain wastewater collection/transmission system to function as intended; Unlawful bypass of system or treatment facility; Failure to comply with sewerage design standards; Failure to notify EQD of discharge and provide required records

Respondent's corrective actions:

Engineer hired to review modified system without permit and file DEP Permit Application

Consent Order settlement fee:

\$1,500

7/15/2021

Unlawful discharge of wastewater to ground (not public areas) and failure to comply with sewerage design standards (secure) and possibly not designed to include mobile homes added to property
Direct discharge from system to surrounding environment not in public access area and not likely to reach surface waters
Moderate potential for harm and minor extent of deviation

Consent Order requirements:

DEP Permit application: No later than 7/1/2022
Complete permitted work: Within 150 days of permit issuance
DEP Clearance package: Within 180 days of permit issuance

A motion to approve the consent orders was made (Dagan), properly seconded (Hoyles) and approved by the body.

ENFORCEMENT REPORT

Melissa Long

No updates or questions.

PRESENTATION(S)

- Chief Resiliency Officer Introduction and Update **ANNE COGLIANESE**

PUBLIC HEARING(S)

- JEPB Rule 3 – Water Pollution: Chief Long reviewed the steps that got to the revision of the Rule and briefly described the major clarifications and the 2 additional requirements of the telemetry and macerator pumps. A motion to approve the rule as presented was made (Garrison), and properly seconded (Deck) and approved by the body.
- State of the River Report (SORR): The proposal for the community engagement addition was discussed and the increase for the first year of this effort (for the 15th SORR) for \$8,800 was discussed. A motion to approve the additional Task 8 and the additional \$8,800 was made (Hoyles), and properly seconded (Simon) and approved by the body.

COMMISSION & JEPB COMMITTEE UPDATES

- **Waterways Commission** – Mr. Hoyles reported the update for waterways.
- **KJB Commission** – no report
- **JEPB Water Committee** – Mr. Carr shared highlights from the branch report distributed with the meeting packet and addressed questions.
- **JEPB Air Committee** – Mr. Williams shared highlights from the report distributed with the meeting packet and addressed questions.

EPB ADMINISTRATOR REPORT

Mr. Richardson discussed efforts on the Symposium planning for the October 15 Symposium and the Board will meet on the 4th Monday of October to allow for proper planning of the Symposium. Earth Day is this Friday, April 22 at the James Weldon Johnson Park – the EPB and JEA have partnered in the planning. Next year, the Board will be celebrating 50 years – planning will be taking place soon.

ENVIRONMENTAL QUALITY DIVISION REPORT

Chief Long did not have anything further to share.

OLD BUSINESS

none

NEW BUSINESS

none

ITEMS REFERRED TO COMMITTEES

none

NEXT SCHEDULED BOARD MEETING(S)

- JEPB Committees
 - Air Committee – TBD
 - Water Committee – TBD
- JEPB Steering Committee – May 9, 2022, at 4:00 pm
- JEPB Monthly Meeting – May 16, 2022, at 5:00 pm

The meeting was adjourned at 6:30 pm.

Respectfully Submitted