

City of Jacksonville, Florida
ENVIRONMENTAL PROTECTION BOARD
Monday, April 11, 2016
5:00 p.m.
Board Meeting Summary

Members Present

Michelle Tappouni, Chair
Tony C. Bellamy, P.E.
Roi Dagan, M.D.

Steven Jenkins
Amy Fu, P.E.
Lucinda Sonnenberg, Ph.D.

Members Not Present

Nick Howland, Vice Chair
Mobeen Rathore, M.D.
Bobby Baker, P.E.

Staff/ Resources Present

James Richardson, EPB Administrator
Sondra Fetner, OGC
Melissa Long, EQD Chief
Tree Kilbourn, EQD Enforcement

Visitors

John Nooney
Tiffanie Reynolds
Patricia Victor
Seth Nehrke
Cathleen Murphy

Tom Fallin
John Nooney
Wayne Young
Gabriel DuPree

Call to Order

Chair Michelle Tappouni called the monthly meeting of the Environmental Protection Board (EPB) to order at 5:12 p.m.

Chairman's Remarks

None.

Approval of March Board Minutes

Chair Tappouni entertained a motion to approve the meeting summary of the March 14th Board Meeting, (Jenkins), which was properly seconded (Dagan) and approved by the body.

Approval of March Committee Minutes

Chair Tappouni entertained a motion to approve the meeting summary of the March 28th EPB Water Committee meeting (Jenkins), which was properly seconded (Dagan) and approved by the body.

Chair Tappouni entertained a motion to approve the meeting summary of the March 28th EPB Air & Odor Committee meeting (Sonnenberg), which was properly seconded (Fu) and approved by the body.

COMMENTS FROM THE PUBLIC

John Nooney a resident of 8356 Bascom Rd, Jax Florida distributed copies of handouts and shared information his concerns on legislative bills Ord. 2016-18 FL Inland Navigation District (FIND) projects/school board kayak launch; Ord. 2016-131 and Ord. 2016-140. Mr. Nooney would like to perform individual cleanups.

New Business

- COJ LID Project Information - Seth Nehrke with CDM Smith shared information on a Public Works project that would utilize Low Impact Development methods to address stormwater and drainage issues in a neighborhood.

Consent Agenda

(Air/Odor/Noise)

- None

(Water/Haz Mat)

- **NPC International, Inc. d/b/a Pizza Hut #4267 (WP-16-01)** - Unlawful discharge of sewage or other untreated waste or wastewater; Unlawful bypass of wastewater collection/transmission system or treatment facility [septic system] – proposed settlement: **\$960** [\$1,200 less 20% good faith efforts to cooperate] [discharge not in public access area, not to storm water or surface waters]
- **Samjaz Jax Palm Terrace, LLC (WP-15-32)** - Unlawful discharge of sewage or other untreated waste or wastewater; Failure to maintain collection lines to function as intended; Unlawful bypass of wastewater collection/transmission system or treatment facility – proposed settlement: **\$1,150** [\$4,600 less the mitigation credit of 75% or \$3,450] [discharge to public access areas]
- **Grace Farms Investments, LLC and DeMay, Inc. (WP-15-29)** - Unlawful discharge of other material; failure to comply with erosion and sediment control standards – proposed settlement: **\$4,800** [\$8,000 less 20% good faith efforts to cooperate and 20% unique circumstances] [discharge to storm water ditches and conveyances]
- **Family Dollar Stores of Florida, Inc. (Amended WP-15-13)** - Failure to have a compliant OMR agreement; Unlawful discharge of wastewater – proposed settlement: **\$6,400** [\$8,000 less 20% unique circumstances] [discharge to storm water drain]

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

Enforcement Report

Representing the Enforcement activity, Tree Kilbourn asked if there were any questions on the enforcement report submitted to the Committee for review. (There were no questions).

Ms. Kilbourn gave a brief update on the Mayport Partners Consent Order Modification. The property will not be redeveloped (no capital). Staff reevaluated the system as a rehab and repair project and not as a new system and requests a modification to the consent order with a compliance plan.

A motion was made to approve the Mayport Partners Consent Order Modification with Compliance Plan (Bellamy) which was properly seconded (Jenkins) and approved by the body.

Negotiated Settlement)

- **SEP in Settlement Agreement for City of Jacksonville, Department of Public Works and JEA (WP-13-18)**
- Failure to comply with erosion and sediment control standards; Unlawful discharge to surface waters; Exceedance of water quality standards for surface waters

The SEP proposal was withdrawn and the penalty of \$36,000 will be paid.

Presentation(s)

None.

Commission Updates

Waterways Commission - Board Member Steven Jenkins shared that pertinent information from the meeting included:

- The monthly report by Dr. White stating the number of manatees in Florida is up 6,250; dolphins are back in the river; there were 3 reported manatee deaths

- Article in paper - Lisa Rinaman spoke on the reasons the St Johns Riverkeeper was taking legal action against the FDEP Notice of Intent to Issue Permit for the Jacksonville Harbor Deepening Project. They continue to have concerns over the approach taken and mitigation planned by the Army Corps of Engineers.

KJB Commission – James Richardson shared:

- KJB held their annual fundraiser on Friday, April 1st. Bill Brinton was the recipient of their annual award.

Public Hearing(s)

Chair Tappouni suspended the EPB meeting at 5:55 pm in order to conduct scheduled Public Hearings:

- Funding Request – Groundwork Jacksonville
- Funding Request – EQD Microbe Pilot Study
- Funding Request – EPB Education & Outreach

The EPB meeting was reconvened at 6:04 pm.

EPB Administrator Report

Mr. Richardson shared:

- The Resolution 2016-192 honoring retiree Steve Pace was approved by City Council. There will be a presentation of the resolution to Mr. Pace at the Tuesday, June 14th Council meeting at 5pm. A meeting invitation will be sent to the Board members. Please plan to attend if possible.
- The new parking procedures related to Boards and Commissions are now in effect.

Departmental Report

Chief Long shared:

- Budget has begun and there will be a few enhancements asked for - two inspectors (ESC & LS/SSO).
- EPA 105 Grant - \$92,000 received will pay for monitoring equipment replacement
- Wi-Fi for the monitoring stations has been ordered.

Mr. Richardson shared the following EPB Education & Outreach Projects:

- April 15th Earth Day at Hemming Plaza and "The Lorax" movie
- April 16th Party for the Planet and Citizen Science Day at the Jacksonville Zoo
- April 23rd Earth Day Ecology Fair and Festival at the Jacksonville Landing.

Old Business

- The Seismic Gun Testing Resolution – brief update - remains referred to EPOC.
- Jacksonville Harbor Deepening Project – remains referred to EPOC.
- EPB Policy Positions – (referred to EPO Committee)

New Business

Discussion – Environmentally Sensitive Land and Cell Tower Siting – Board Counsel Sondra Fetner provided some background information on the issue at hand. She indicated that Councilwoman Boyer asked her to see if the EPB had any input on the matter. A brief discussion ensued. Chair Tappouni asked that the item be placed on the committee agendas for discussion.

Item(s) referred to Committees

Environmentally Sensitive Land and Cell Tower Siting (Water and Air & Odor)

Funding Requests-Groundwork Jacksonville, EQD Microbe Pilot Study, EPB Education & Outreach (EPO)

Comments from the Public

None.

Next Scheduled Board Meeting(s)

EPB Committees

- a. Water Committee – April 25, 2016 at 4:30pm
- b. Air & Odor Committee – April 25, 2016 at 5:00 pm

EPB Monthly Meeting – May 9, 2016 at 5:00 pm

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 6:24 p.m.

Respectfully Submitted

Ruby Tucker, Executive Assistant to EQD Chief