

City of Jacksonville, Florida
ENVIRONMENTAL PROTECTION BOARD
Monday, February 8, 2016
5:00 p.m.
Board Meeting Summary

Members Present

Michelle Tappouni, Chair
Tony C. Bellamy, P.E.
Steven Jenkins

Bobby Baker, P.E.
Amy Fu, P.E.
Lucinda Sonnenberg, Ph.D.

Members Not Present

Nick Howland, Vice Chair
Mobeen Rathore, M.D.
Roi Dagan, M.D.

Staff/ Resources Present

James Richardson, EPB Administrator
Jason Teal, OGC
Melissa Long, EQD Chief
Tree Kilbourn, EQD Enforcement

Visitors

None

Call to Order

Chair Michelle Tappouni called the monthly meeting of the Environmental Protection Board (EPB) to order at 5:01 p.m.

Chairman's Remarks

None.

Approval of January Board Minutes

Chair Tappouni entertained a motion to approve the meeting summary of the January 11th Board Meeting, (Sonnenberg), which was properly seconded (Bellamy) and approved by the body.

Chair Tappouni entertained a motion to approve the meeting summary of the January 11th Noise Variance Hearing- Broward River Crossing, (Jenkins), which was properly seconded (Sonnenberg) and approved by the body.

Chair Tappouni entertained a motion to approve the meeting summary of the January 11th Noise Variance Hearing – South Shores River Crossing (Bellamy), which was properly seconded (Jenkins) and approved by the body.

Approval of January Committee Minutes

Chair Tappouni entertained a motion to approve the meeting summary of the January 25th EPB Water Committee meeting (Baker), which was properly seconded (Bellamy) and approved by the body.

Chair Tappouni entertained a motion to approve the meeting summary of the January 25th EPB Air & Odor Committee meeting (Sonnenberg), which was properly seconded (Fu) and approved by the body.

COMMENTS FROM THE PUBLIC

None

Consent Agenda

(Air/Odor/Noise)

- **R&E Site Development, Inc. (AP-15-09)** - Failing to post a burn permit; Open burning piles too large to extinguish one hour before sunset – Settlement fee \$3,200 (\$4,000 less 20% good faith efforts to cooperate)
- **Rummel and Grimes, Inc. d/b/a TSI Discotheque (NP-15-05)** - Causing, allowing or permitting emission of sound in exceedance of nighttime noise standards – Settlement fee \$500 (reduced from \$3,000.60 due to EPA Abel model demonstrated inability to pay)

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

(Water/Haz Mat)

- **(Landon Homes, LLC (WP-15-37)** - Failure to comply with erosion and sediment control standards – Settlement fee \$200
- **SP Timuquana Limited Partnership through its agent Cambridge Management of Washington, Inc. (WP-15-20)** - Failure to comply with sewerage design standards; Failure to post sign with required information; Failure to perform required maintenance and keep a permanent maintenance log – Settlement fee \$2,560
- **ABC Properties Equities, LLC as manager for CBG Acquisition LLC (WP-13-24)** - Failure to maintain wastewater collection/transmission system; Unlawful discharge of wastewater; Failure to comply with sewerage design standards; Failure to post sign with required information; Failure to perform required maintenance; Failure to notify EQD – Settlement fee \$0 (due to EPA Abel Model demonstrated inability to pay assessed penalty of \$7,800)

A motion was made to approve the consent orders (Baker) which was properly seconded (Bellamy) 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 provided an update on the Dollar Tree and Mayport Partners/Port of Call Shopping Center consent orders.

Commission Updates

Waterways Commission – Steven Jenkins shared the following:

- Discussion of marina slips allotted to various sites downtown. 603 slips have been allotted. Downtown sites for additional slips include the Shipyards, the Aetna Building, and the Strand. The City of Jacksonville will have to petition the Florida Fish & Wildlife Conservation Commission to change the Manatee Protection Plan to accommodate additional slips in downtown Jacksonville.
- A representative from Brooks Rehabilitation Institute made a presentation regarding “The Benefits of Adaptive Programming” and discussed adaptive sailing programs for handicapped individuals.
- Dr. Quinton White discussed the U.S. Fish & Wildlife Service’s potential change of the manatee’ status under the Endangered Species Act from “endangered” to “threatened”.
- The winter survey of dolphins in our waterways begins January 14th
- There’s continued discussion on the Central Florida Waters

KJB Commission – No update

Legislative Update

Mr. Richardson displayed the tracking system he and Chief Long uses to track legislation between the Senate and House that may have an impact on Duval County and/or our program(s).

EPB Administrator Report

Mr. Richardson shared:

- Dr. Pyati notified staff that the FCMA will provide a team of volunteers to review the State of the River report
- There are several funding requests that have been referred to the EPO Committee. Board members interested in the opportunity to serve on the EPO Committee or be removed please notify Mr. Richardson.

Chair Michelle Tappouni made remarks concerning a recent article which stated the City has pulled away from the Rockefeller Foundation and grant and are no longer a part of the 100 Resilient Cities. The Board will track for more information.

Departmental Report

Chief Long shared:

- The SOA has been heard in MBRC and will go before City Council in two weeks
- The Department is being reorganized (staff will provide an update)

Old Business

- The Seismic Gun Testing Resolution – remains referred to EPOC.
- Jacksonville Harbor Deepening Project – remains referred to EPOC.
- Action Item – EPB Policy Positions – staff will work with Chair Tappouni to determine when to place on agenda and how to position.

New Business

Board Member Bobby Baker inquired if staff has received any noise complaints because there's a lot of noise (sound of drilling) coming up the river at night. Staff stated that no known projects have begun. Staff will reach out to the noise activity to research noise complaints received.

Item(s) referred to Committees

- Funding Request – Groundwork Jacksonville (EPO Committee)
- Funding Request – EPB Education & Outreach (EPO Committee)
- Environmental Protection Trust Fund (EPTF) – The Board reviewed two worksheets which displayed their major appropriations over the past 8 years, projects approved (ongoing), potential projects, etc. A brief discussion ensued regarding the Boards project goals (proactive verses reactive), the sustainable building refund, the status of the projects, etc. (EPO Committee).

Comments from the Public

None.

Next Scheduled Board Meeting(s)

EPB Committees

- a. Water Committee – February 22, 2016 at 4:30pm
- b. Air & Odor Committee – February 22, 2016 at 5:00 pm

EPB Monthly Meeting – March 14, 2016 at 5:00 pm

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 6:14 p.m.

Respectfully Submitted

Ruby Tucker, Executive Assistant to EQD Chief