

City of Jacksonville, Florida
ENVIRONMENTAL PROTECTION BOARD
Monday, May 9, 2016
5:00 p.m.
Board Meeting Summary

Members Present

Michelle Tappouni, Chair
Nick Howland, Vice Chair
Tony C. Bellamy, P.E.
Steven Jenkins
Bobby Baker, P.E.

Members Not Present

Roi Dagan, M.D.
Mobeen Rathore, M.D.
Amy Fu, P.E.
Lucinda Sonnenberg, Ph.D.

Staff/ Resources Present

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

Visitors

John Nooney	Joey Duncan
Gregory Kenna	O.W. Young
Dawn Emerick	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 April Board Minutes

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

Approval of April Committee Minutes

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

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

Chair Tappouni entertained a motion to approve the meeting summary of the May 2nd Education & Outreach Committee meeting (Bellamy), which was properly seconded (Howland) and approved by the body.

COMMENTS FROM THE PUBLIC

John Nooney a resident of 8356 Bascom Rd, Jax Florida, stated that public access to our waterways is vitally important and he is seeking permission to perform individual cleanups on public and private property without being cited for trespassing.

Consent Agenda

(Air/Odor/Noise)

- None

(Water/Haz Mat)

- **Cambridge Management of Washington, Inc. as agent for SP Hilltop Village LP (WP-15-33)** - 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 fee - \$0 [\$6,600 less 20% good faith efforts to cooperate and 100% mitigation of the \$5,280 for SEP of outstanding quality] [\$1,200 plus daily penalty for duration of bypass 8/28/15 to 9/16/15]**
- **Diversified Asset Realty Team, LLC as agent for Jorcen Jax, LLC d/b/a La Estancia (WP-14-16)** - Unlawful discharge of sewage or other untreated waste or wastewater; Failure to maintain wastewater collection/transmission system – **proposed settlement fee - \$3,954 [\$8,000 less 20% good faith efforts to cooperate and less SEP mitigation credit of \$2,446] [discharge to public areas and storm water conveyance]**

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

Voluntary Compliance Plan

- **Blanchard Apartments, LLC** - Alleged violations of wastewater collection/transmission system rules - Consent Order settlement fee: Not documented, not assessed - Consent Order requirements: Comply with all DCHD requirements for pump and haul pending construction of the WWCTS; Complete all work for connection and abandonment no later than 6/30/16

A motion was made to approve the consent orders (Jenkins) which was properly seconded (Howland) 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).

Chair Tappouni suspended the EPB meeting at 5:17 pm in order to conduct the scheduled Public Hearings.

- Noise Variance – Tetra Tech Project Rex
- Funding Request – Groundwork Jacksonville
- Funding Request – EPB Education & Outreach

The EPB meeting was reconvened at 7:27 pm.

Commission Updates

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

- Working to get a submerged land lease to continue working on the dock at Sisters Creek.
- The monthly report on the number of manatee reported deaths has risen to 6 fatalities
- Lisa Rinaman provided her monthly report. No significant issues.

KJB Commission – Nick Howland shared:

- There were meetings to plan and allocate funding for upcoming major cleanups of the St. Johns River.

- Keep America Beautiful Florida Section meeting is scheduled for June. Funding approved for two attendees.

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 (vouchers are available for the Board Members).

EQD Report

Chief Long shared:

- Budget has begun and there will be a few enhancements.
- EPA 105 Grant - \$92,000 received will pay for monitoring equipment replacement
- Wi-Fi for the monitoring stations is being installed.

Old Business

- UPDATE – Environmentally Sensitive Lands & Cell Tower Siting – Mr. Richardson shared that the topic had been added to the agenda for both of the regulatory committees. Neither had any input or suggestions. Board Counsel Fetner is ready to send communication to Councilwoman Boyer indicating that the EPB had no input. Chair Tappouni suggested working with Mr. Richardson to draft a letter to that effect for the Councilwoman.
- The Seismic Gun Testing Resolution – remains referred to EPOC.
- Jacksonville Harbor Deepening Project – remains referred to EPOC.
- EPB Policy Positions – (referred to EPO Committee)

New Business

Mr. Richardson shared that the EPB-Duval County Public Schools (DCPS) Environmental Champion Award recognizes individuals in their Green Champions program. There were 11 schools eligible this year and all the applications were reviewed by EPB staff and DCPS staff with recommendations provided to the EPB Education Committee. Based on that, the Education committee recommended Brent Sawdy – Lake Shore Middle School as the recipient of the 2016 Award.

It was also suggested to the Board that a stipend in the amount of \$500 be awarded to the school for the Green Champion Award.

A motion was made to approve Brent Sawdy as the recipient of the 2016 EPB-DCPS Environmental Champion Award (Howland) which was properly seconded (Dagan) and approved by the body.

A motion was made to approve a stipend in the amount of \$500 be attached to the award and presented to the school (Lake Shore Middle School) of the EPB-DCPS Environmental Champion Award winner (Howland) which was properly seconded (Dagan) and approved by the body.

Item(s) referred to Committees

None.

Comments from the Public

John Nooney mentioned the 2016-18 legislation for ADA water craft launch at the DCPS building and made a suggestion that the Board consider a resolution in support of a kayak water craft launch.

Next Scheduled Board Meeting(s)

EPB Committees

- a. Water Committee – May 23, 2016 at 4:30pm
- b. Air & Odor Committee – May 23, 2016 at 5:00 pm

EPB Monthly Meeting June 13, 2016 at 5:00 pm

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 7:47 p.m.

Respectfully Submitted

Ruby Tucker, Executive Assistant to EQD Chief



MEMORANDUM

TO: Jacksonville Environmental Protection Board Steering Committee

THROUGH: Melissa M. Long, P.E., Division Chief

FROM: Tree Kilbourn, Environmental Enforcement Officer

DATE: April 29, 2016

**SUBJECT: PROPOSED PRESENTATION TO JEPB MAY 9, 2016
APPROVAL OF CONSENT ORDER SETTLEMENTS**

Water

Cambridge Management of Washington, Inc. as agent for SP Hilltop Village LP (WP-15-33)

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

Diversified Asset Realty Team, LLC as agent for Jorke Jax, LLC d/b/a La Estancia (WP-14-16)

Unlawful discharge of sewage or other untreated waste or wastewater; Failure to maintain wastewater collection/transmission system

c: Ms. Kimberly Scott, Acting Director
Mr. Jason Teal, OGC
Ms. Sondra Fetner, OGC
Mr. James Richardson, Program Administrator, EPB
EQD Branch Managers

G:\DATA\WPdata\Enforcement Services\J E P B\Memo 2016\5-16.doc

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
MAY 9, 2016**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,**

-vs-

**Cambridge Management of Washington, Inc.
as agent for SP Hilltop Village LP**

Petitioner,

Respondent.

Type of alleged violation(s): 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

Source of alleged violation(s): Gravity wastewater collection/transmission system located at 1646 W. 45th Street, Jacksonville, Florida

Date of alleged violation(s): On or before 8/28/15

Method of determining alleged violation(s): Field investigations and file reviews

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B, G and I

ND response to alleged violation(s): Cease and Desist Citation WP-15-33 issued 9/28/15

Respondent's corrective actions: Repairs completed to correct belly in collection system line

Consent Order settlement fee: \$0 [\$6,600 less 20% good faith efforts to cooperate and 100% mitigation of the \$5,280 for SEP of outstanding quality]
[\$1,200 plus daily penalty for duration of bypass 8/28/16 to 9/16/16]

Consent Order requirements: Install eight (8) manhole float alarms at the property as SEP by 7/18/16

Previous/Other enforcement actions: None for this owner.

Previous owner:

Citation WP-01-27 issued 11/30/01 to Hilltop Village Apartments for illegal discharge and failure to maintain system. \$100.00 penalty paid. Closed.

NTCs VY09039 issued 9/9/09 to HTV Associates LP and Hilltop Village Apartments for failure to keep in service and unlawful discharge. Closed.

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
MAY 9, 2016**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,**

-vs-

**Diversified Asset Realty Team, LLC
as agent for Jorken Jax, LLC d/b/a La Estancia,**

Petitioner,

Respondent.

Type of alleged violation(s): Unlawful discharge of sewage or other untreated waste or wastewater; Failure to maintain wastewater collection/transmission system

Source of alleged violation(s): Wastewater collection/transmission system located at La Estancia, 5141 Shenandoah Avenue, Jacksonville, Florida

Date of alleged violation(s): On or before 6/27/14

Method of determining alleged violation(s): Field investigations and file reviews

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103.B and G

ND response to alleged violation(s): Cease and Desist Citation WP-14-16 issued 8/6/14

Respondent's corrective actions: Engineer recommended repairs completed
Improved schedule for jetting of collection lines

Consent Order settlement fee: \$3,954 [\$8,000 less 20% good faith efforts to cooperate and less SEP mitigation credit of \$2,446]
[discharge to public areas and storm water conveyance]

Consent Order requirements: Installation of an auto notification system with battery backup in the case of electrical service interruption at the lift station as SEP to be completed by 6/30/16

Previous/Other enforcement actions:

NTCs GT140336 issued 7/3/14 to Jorken Jax, LLC, Diverse Asset Realty Team and La Estancia for unlawful discharge, failure to maintain, failure to notify and failure to post sign. Referred to Enforcement.

Previous owners:

Citation WP-07-03 issued 5/18/07 to Jax Apartments, LLC d/b/a Shannon Ridge Apartments for failure to keep equipment in service, unlawful discharge, and failure to notify. \$3,760 penalty paid. Closed.

File WP-02-OGC complaint for injunctive relief for unlawful discharge filed against Shenandoah Realty, LLC and Wollitz Garden Apartments, formerly Samuel Pinter and Wollitz Garden Apartments. Temporary Injunction granted 1/25/02. Final Judgment entered 2/15/06 for \$17,500. OGC closed their file 4/6/06 as uncollectible.

NTC VY1221 issued 5/22/12 to Shannon Ridge Apartment c/o Shimon Buhadana for failure to provide monthly operator and failure to post sign. Closed.

NTC VY1109 issued 3/20/11 to Jax Apartments LLC c/o Shimon Buhadana for failure to keep equipment in service (pump offline). Closed.

NTC VY09018 issued 5/12/09 to Jax Apartments LLC c/o Shimon Buhadana for unlawful discharge. Closed

NTC VY06050 issued 12/8/06 to Shimon Buhadana for failure to keep equipment in service and unlawful discharge. Closed.

NTC WP031VY issued 12/31/01 to Samuel Pinter and Wollitz Garden Apartments for unlawful discharge. Referred to OGC for complaint for injunctive relief, file WP-02-OGC.

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
MAY 9, 2016**

Consideration of voluntary Compliance Plan:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,**

-vs-

Blanchard Apartments, LLC,

Petitioner,

Respondent.

Type of alleged violation(s): Alleged violations of wastewater collection/transmission system rules

Source of alleged violation(s): On-site sewage treatment and disposal system conversion to wastewater collection/transmission system with lift station located at 1515 Pullen Road, Jacksonville, Florida

Date of alleged violation(s): Not documented by EQD inspector

Method of determining alleged violation(s): CARE complaints and telephone conferences with DCHD

Rules allegedly violated: not documented

ND response to alleged violation(s): Voluntary compliance plan to expedite connection pursuant to WWCTS construction permit which does not expire until 12/30/2020

Respondent's corrective actions: WWCTS construction permit issued 12/30/15 pending completion

Consent Order settlement fee: Not documented, not assessed

Consent Order requirements: Comply with all DCHD requirements for pump and haul pending construction of the WWCTS
Complete all work for connection and abandonment no later than 6/30/16

Previous/Other enforcement actions: None

2016 DCPS Green Champions

Platinum Level

Lake Shore MS #69

San Pablo ES #80

Palm Avenue Exceptional #170

Sandalwood HS #237

Twin Lakes ES #251

Alden Road Exceptional #252

Gold Level

Kirby Smith MS #25

GRASP Academy #27

Jacksonville Beach ES #144

James Weldon Johnson MS #152

Arlington Heights ES #240

Air Odor Noise Committee
Lucinda Sonnenberg, Ph.D. – Chair
Nick Howland
Amy Fu, P.E.
Mobeen Rathore, M.D.

Education & Public Outreach
Tony Bellamy, P.E.
Steven Jenkins
Lucinda Sonnenberg, Ph.D.
Michelle Tappouni



Water Committee
Bobby L. Baker, P.E. – Chair
Tony C. Bellamy, P.E.
Roi Dagan, M.D.
Steven Jenkins

Michelle Tappouni – Chairman
Nick Howland – Vice Chairman
Bobby L. Baker, P.E., Tony C. Bellamy, P.E.
Roi Dagan, M.D., Amy Fu, P.E., Steven Jenkins,
Mobeen Rathore, M.D., Lucinda Sonnenberg, Ph.D.

MEMORANDUM

May 2, 2016

To: Environmental Protection Board
Education & Public Outreach Committee

From: James Richardson, Program Administrator
Environmental Protection Board

Re: Recommendation for 2016 EPB-DCPS Environmental Champion Award

This award was created in 2013 in partnership with the Duval County Public Schools. The award acknowledges the school system's Green Champions program and is chosen from among its best. To determine the best, each Green Champion completes, and submits, a detailed nomination outlining the details and highlights of their program year. DCPS staff review each application and award the schools Bronze, Silver, Gold or Platinum status based on a point system. An overall Green Champion of the Year Award is chosen from the Gold and Platinum level winners and is presented to the school.

For the EPB-DCPS Environmental Champion Award, the Gold and Platinum level winners are eligible. Following the process outlined by the EPB's EPO Committee for the past few years, EPB staff reviewed those submissions for individual creativity and leadership traits which stood out and closely align with the values and mission of the EPB. There were eleven schools whose program achieved Gold or Platinum level standards. Following my review, I consulted with the DCPS Green Champions Coordinator and, together, determined the recommendation.

Based upon our joint review, the recommendation for the 2016 EPB-DCPS Environmental Champion Award winner is Brent Sawdy, Lakeshore Middle School. Brent has participated in the Green Champions program for the past two years. In his brief time period, he has led what has already become one of the top programs. Under his leadership, Lakeshore was a Bronze awardee their first year and achieved Platinum level this year. His program was so impressive that DCPS created a new award, Most Improved. He has provided exceptional leadership in securing the support and activation of students, faculty and parents at Lakeshore. His group of students, 6th graders, created and maintain a club website and two social media accounts where they share pictures of their efforts and "memes" that are earth friendly and advocate sustainable living. Many aspects of the recycling and energy and water saving efforts have been fully incorporated into the school and have changed the behavior of the faculty and students.

In addition to my recommendation of the winner, I offer a strong recommendation to award a \$500 stipend with the award annually. This stipend will be used to advance, and support, the Green Champion program at the school.

Both items were approved by the Education & Outreach Committee to be forwarded to the full EPB with a recommendation to approve.