

Air Odor Noise Committee

Amy Fu, P.E. – Chair
Caleena Shirley
David Wood
Thomas Deck
Edmund Clark, M.D.

Education & Public Outreach

David Wood – Chair
Lucinda Sonnenberg, Ph.D.
Bobby Baker, P.E.



Water Committee

Bobby L. Baker, P.E. – Chair
Thomas Deck
Roi Dagan, M.D.
Edmund Clark, M.D.
Caleena Shirley

Lucinda Sonnenberg, Ph.D. – Chairman

Amy Fu, P.E. – Vice Chairman

Bobby L. Baker, P.E., Edmund Clark, M.D., Roi Dagan, M.D.,

Thomas Deck, Caleena Shirley, David Wood

JEPB Monthly Meeting Notice and Agenda

Tuesday, February 19, 2019

5:00 p.m. - Ed Ball Building

214 N. Hogan Street – Conference Room 5016

To participate via phone, please contact staff **prior to 3 pm**

Phone Number to Participate via Phone:

Dial 630-2501 -- or -- (toll free) 1-800-299-9355 ext. 2501 - Enter the Password: 98765#

BOARD MEETING AGENDA

CALL TO ORDER INTRODUCTIONS

DR. SONNENBERG

I. CHAIRMAN'S REMARKS

II. COMMENTS FROM THE PUBLIC

The public is invited to address the board at this time on general topics you might have. Please note that there will be a separate opportunity to speak before each action item. All those who wish to address the Board should complete a request to speak card and give it to the EPB staff. When making comments, please identify yourself, stating your full name and address. Comments should be addressed to the Board as a body and not to any member directly and will be limited to 3 minutes each.

III. APPROVAL OF MINUTES

- Minutes of January 22, 2019 Monthly Meeting
- Minutes of January 22, 2019 Brasfiel & Gorrie Variance Hearing

IV. CONSENT ORDERS

TREE KILBOURN/MELISSA LONG

(Air/Odor/Noise)

- **none**

(Water/Haz Mat)

- **Marietta Sand Corporation (WP-18-70)** - Unlawful discharge of turbid water to stormwaters and surface waters; Failure to comply with erosion and sediment control standards – proposed settlement: **\$6,720** [\$8,400 less 20% for good faith efforts to cooperate]
- **The FaverGray Company (WP-18-69)** - Unlawful indirect discharge of sediment and turbid water to stormwaters; Failure to comply with erosion and sediment control standards – proposed settlement: **\$ 2,940** [\$3,675 less 20% for good faith efforts to cooperate]
- **CDM Smith, Inc. (WP-18-58)** - Alleged unlawful discharge of gray water to MS4 – proposed settlement: **\$2,800** [\$3,500 less 20% for good faith efforts to cooperate]
- **Lennar Homes, LLC (WP-18-53)** - Unlawful discharge of sediment and turbid water to surrounding environment; Failure to comply with erosion and sediment control standards – proposed settlement: **\$1,200** [\$1,500 less 20% for good faith efforts to cooperate]

- **Metric Civil Constructors, LLC (WP-18-07)** - Unlawful discharge to surface waters, streets and storm drains; Failure to comply with erosion and sediment control standards – proposed settlement: **\$0** [*\$10,700 less 20% for good faith efforts to cooperate, or \$8,560*] 100% SEP mitigation credit for developing training program with consultants for on-site crews at an introductory level for crew that does not necessarily work at the level of site inspector draining for DEP erosion and sediment control 2-day course. Consent Order requirements: Develop and present first introductory training class with invitation to course through contractors' associations such as Underground Utility Contractors and North East Florida Builders Association

V. ENFORCEMENT REPORT

TREE KILBOURN

VI. PRESENTATION(s)

- none

VII. PUBLIC HEARING(s)

- Funding Hearing – EQD Marine Vessel

VIII. COMMISSION & JEPB COMMITTEE UPDATES & REPORTS

- Waterways Commission
- KJB Commission
- JEPB Water Committee
- JEPB Air Committee
- JEPB Education & Outreach Committee

MELISSA LONG
MELISSA LONG

IX. EPB ADMINISTRATOR REPORT

JAMES RICHARDSON

X. ENVIRONMENTAL QUALITY DIVISION REPORT

MELISSA LONG

XI. LEGISLATIVE UPDATE

RICHARDSON/LONG

XII. OLD BUSINESS

- None

XIII. NEW BUSINESS

- Legislative Priorities

XIV. ITEMS REFERRED TO COMMITTEES

XV. NEXT SCHEDULED BOARD MEETING(s)

- EPB Committees
 - SSO Stakeholder Meeting – Thursday, February 21, 2019 at 4:00 pm
 - Education & Public Outreach – no February meeting
 - SSO Prevention – no February meeting
- EPB Steering Committee – Monday, March 11, 2019 at 4:00 pm
- EPB monthly meeting – Monday, March 18, 2019 at 5:00 pm

XVI. ADJOURNMENT

Air Odor Noise Committee

Amy Fu, P.E. – Chair
 Caleena Shirley
 David Wood
 Thomas Deck
 Edmund Clark, M.D.

Education & Public Outreach

David Wood – Chair
 Lucinda Sonnenberg, Ph.D.
 Bobby Baker, P.E.

**Water Committee**

Bobby L. Baker, P.E. – Chair
 Thomas Deck
 Roi Dagan, M.D.
 Edmund Clark, M.D.
 Caleena Shirley

Lucinda Sonnenberg, Ph.D. – Chairman

Amy Fu, P.E. – Vice Chairman

Bobby L. Baker, P.E., Edmund Clark, M.D., Roi Dagan, M.D.,
 Thomas Deck, Caleena Shirley, David Wood

Jacksonville Environmental Protection Board

Monday, January 22, 2019

BOARD MEETING SUMMARY

MEMBERS PRESENT:

Lucinda Sonnenberg, Ph.D., Chair
 Thomas Deck
 Caleena Shirley
 Amy Fu, P.E., Vice Chair

Roi Dagan, M.D.
 David Wood
 Bobby Baker, P.E.
 Edmund Clark, M.D.

MEMBERS NOT PRESENT:**STAFF/RESOURCES PRESENT:**

James Richardson, JEPB Administrator
 Melissa Long, EQD Chief
 Jeff Close, OGC

Michael Williams, EQD Air Branch
 Tree Kilbourn, EQD Enforcement
 Terry Carr, EQD Water Branch

VISITOR(S) PRESENT:

Erich Reichle, Brasfield & Gorrie

Derrick Fagg, Brasfield & Gorrie

CALL TO ORDER INTRODUCTIONS

DR. SONNENBERG

Chair Sonnenberg called the meeting of the Jacksonville Environmental Protection Board (JEPB) at 5:06 pm. A quorum was established.

CHAIRMAN'S REMARKS

The Chair noted and introduced new members to the JEPB. She also noted the new meeting schedule that was beginning with the meeting and noted if it does not appear to be working, it can be modified in the future.

COMMENTS FROM THE PUBLIC

none

APPROVAL OF MINUTES

A motion to approve the meeting summaries from the November and December monthly meetings and the public hearing summaries from the November and December noise variances for Cooper Construction and SE Utilities/Comcast and the funding hearing for JEPB Education & Outreach expenses was made (Baker), properly seconded (Dagan) and approved by the body.

CONSENT ORDERS

(Air/Odor/Noise)

- **none**

(Water/Haz Mat)

- **Dolgencorp, LLC d/b/a Dollar General Stores (12397) [WP-18-62]** - Failure to comply with sewerage design standards; failure to perform required maintenance and keep required records – **Proposed settlement \$1,840** [*\$2,300 less 20% for good faith efforts to cooperate*]

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

- **American Classic Homes, LLC (WP-18-56)** - Unlawful discharge to ground, surrounding environment and overland flow to stormwater; Failure to comply with erosion and sediment control standards – **Proposed settlement \$2,300**

A motion to approve the consent order was made (Shirley), properly seconded (Fu) and approved by the body.

- **IP Nuvo Jacksonville, LLC (WP-18-32)** - Unlawful discharge to ground and surrounding environment; Failure to comply with erosion and sediment control standards – **Proposed settlement \$1,380** [*1,725 less 20% good faith efforts to cooperate*]

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

- **True Clean Laundry Services, LLC (WP-17-44)** - Unlawful discharge of untreated wastewater (gray water) to stormwater; Failure to maintain the wastewater collection/transmission system to function as intended; Bypass of a wastewater treatment facility – **proposed settlement \$1,840** [*\$2,300 less 20% good faith efforts to cooperate*]

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

- **The Carlton at Oak Landing Condominium Association, Inc. (WP-17-39)** - Unlawful discharge of untreated wastewater to the ground; Failure to comply with sewerage design standards; Failure to notify EQD of a discharge of wastewater and provide required records – **proposed settlement \$1,200** [*\$1,500 less 20% good faith efforts to cooperate*]

A motion to approve the consent order was made (Shirley), properly seconded (Fu) and approved by the body.

ENFORCEMENT REPORT

TREE KILBOURN

Ms. Kilbourn entertained questions on the report – there were none. She shared information regarding a consent order and compliance plan that was now an emergency. She shared details surrounding a proposed consent order with compliance plan (attached) for a property that is trying to close on a sale before the end of the month.

With there being no questions, a motion to approve the Creekwood LLC consent order with compliance plan was made (Baker) which was properly seconded (Wood) and approved by the body.

PRESENTATION(s)

none

PUBLIC HEARING(s)

- Brasfield & Gorrie – Noise Variance Hearing

The JEPB meeting was suspended at 5:40 pm to conduct the public hearing. The JEPB meeting resumed at 7:38 pm.

COMMISSION & JEPB COMMITTEE UPDATES

- Waterways Commission – Mr. Baker shared Ms. Tappouni would be providing the Algae Task Force report at the February meeting. He shared information discussed at the meeting regarding changes in the USACE permitting process, that manatee deaths in the area are down and that there was a speaker who posed questions and concerns regarding biosolids.
- KJB Commission – no update
- JEPB Water Committee – no update
- JEPB Air Committee – no update
- JEPB Education & Outreach Committee – Mr. Wood shared that all the meetings would be open to all members. His goal is to increase education by having some increased messaging around priority topics each quarter.

EPB ADMINISTRATOR REPORT

Mr. Richardson shared that he would reach out to the new members about scheduling an orientation and that Ethics training is mandatory for members every four years. He then shared that the funding for the Envirothon and Microbial Project was approved by Council.

ENVIRONMENTAL QUALITY DIVISION REPORT

Chief Long shared that the Microbe lift ponds have been identified and the project is ready to begin. She mentioned that she has identified some part-time dollars and would be interviewing for clerical support for the Enforcement area, that the COJ budget process has just started and that with the legislative session beginning in March, she has been monitoring legislation and committees and will start to share information as to what we are watching. Finally, she mentioned that one of the EQD marine vessels was experiencing some challenges and that she was preparing a funding request for EPB consideration to purchase a new one.

OLD BUSINESS

- none

NEW BUSINESS

- none

ITEMS REFERRED TO COMMITTEES

There were none.

NEXT SCHEDULED BOARD MEETING(s)

- EPB Committees
 - I. Education & Public Outreach –
- EPB Steering Committee –
- EPB monthly meeting –

The meeting adjourned at 8:02 pm

Respectfully Submitted

James Richardson, EPB Administrator

Air Odor Noise Committee

Amy Fu, P.E. – Chair
Caleena Shirley
David Wood
Thomas Deck
Edmund Clark, M.D.

Education & Public Outreach

David Wood – Chair
Lucinda Sonnenberg, Ph.D.
Bobby Baker, P.E.

**Water Committee**

Bobby L. Baker, P.E. – Chair
Thomas Deck
Roi Dagan, M.D.
Edmund Clark, M.D.
Caleena Shirley

Lucinda Sonnenberg, Ph.D. – Chairman

Amy Fu, P.E. – Vice Chairman

Bobby L. Baker, P.E., Edmund Clark, M.D., Roi Dagan, M.D.,
Thomas Deck, Caleena Shirley, David Wood

Jacksonville Environmental Protection Board

Monday, January 22, 2019

Noise Variance Request – Brasfield & Gorrie**Meeting Summary****MEMBERS PRESENT:**

Lucinda Sonnenberg, Ph.D., Chair
Thomas Deck
Caleena Shirley
Amy Fu, P.E., Vice Chair

Roi Dagan, M.D.
David Wood
Bobby Baker, P.E.
Edmund Clark, M.D.

MEMBERS NOT PRESENT:**STAFF/RESOURCES PRESENT:**

James Richardson, JEPB Administrator
Melissa Long, EQD Chief
Jeff Close, OGC

Michael Williams, EQD Air Branch
Tree Kilbourn, EQD Enforcement
Terry Carr, EQD Water Branch

VISITOR(s) PRESENT:

Erich Reichle, Brasfield & Gorrie

Derrick Fagg, Brasfield & Gorrie

Call to Order

Chair Sonnenberg called the Public Hearing of the Environmental Protection Board (EPB) to order at 5:40 p.m.

Chair Statement

Chair Sonnenberg read a statement which provided an outline of how the hearing would proceed: presentation by staff, presentation by petitioner, comments from public, board discussion and clarification, board action and procedural summary.

Certification of Public Notice and Variance information

EPB Administrator James Richardson shared all required public notices appeared in the Daily Record. He then shared that a request for a noise variance was received from Brasfield & Gorrie for the construction of a multi-family dwelling to be located along Riverside Avenue. The variance seeks approval for nighttime construction and an increase in sound levels for both

daytime and nighttime. Given the timing of the variance review and meetings of the Air Committee, the Steering Committee has waived JEPB Rule 1.602(e) so that the variance will be heard by the full board without Air Committee review.

Presentation by Petitioner

Mr. Erich Reichle, with Brasfield & Gorrie, provided information regarding the above referenced project and the measures that they would take in order to mitigate noise from the construction activities.

Staff Discussion of Petitioner Request and Staff Recommendation

Mr. Williams shared his review of the variance request application and the questions that he posed to the applicant. He shared the modeling profiles that he had put together. He also shared his concern that the sound levels anticipated would be quite loud and would be directly adjacent to residential dwellings so there was not much that could be done regarding mitigation of sound. After review of that, in addition to what had been provided from the applicant, he was prepared to support the application request.

Comments from Public

None.

Staff Rebuttal/Clarification to Public Comment

None.

Petitioner Rebuttal/Clarification to Public Comment

None.

Board Questions/Clarification

Members posed several questions to the applicant and to staff. There was considerable discussion and concern of the proposed construction schedule and the intense sound that would be forced upon the residents of the adjacent properties.

Board Vote

A motion was made (Wood) to approve the requested variance with the proposed conditions which was properly seconded (Dagan). The motion included the following conditions:

- (a) The variance application, and presentation, and the commitments therein shall be adopted and incorporated as part of the conditions of this Variance.
- (b) The variance establishes a maximum Noise level of 95 dBA for construction and maintenance operations during daytime operations and 90 dBA for construction and maintenance operations during nighttime operations - with instantaneous peak of 101 dBA during periods of sheet piling installation and removal.
- (c) Allowable nighttime construction is limited to dewatering and concrete pours
- (d) mitigation, to the extent possible, of dewatering pumps
- (e) EQD is granted ability to require additional mitigation
- (f) Communication to residents of sensitive receptors to include:
 - a. construction timetable, including closest possible estimated date of concrete pours
 - b. contact information for 24-hour hotline
- (g) Petitioner shall provide a monthly status report of the construction project to the Air & Odor Committee via email to epb@coj.net. The report shall include:

- a. Number of citizen complaints and any plan for remediation or corrective action in response to residents' complaints.
 - b. The number of exceedances of the acceptable dBA sound level and any remediation actions taken.
 - c. Project progress, including substantial changes
- (h) Petitioner shall ensure that any sound measures be performed in accordance with the existing EPB Rule 4.
- (i) This variance shall be granted for the **January 22, 2019 through December 31, 2020** time period.

The motion was approved by the body.

Procedural Summary

Jeff Close, OGC, stated that the JEPB had just approved the variance request by Brasfield & Gorrie and that the order would be prepared and transmitted to same.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 7:30 p.m.

Respectfully Submitted

James Richardson, EPB Administrator



City of Jacksonville, Florida

Lenny Curry, Mayor

Environmental Quality Division
Ed Ball Building
214 N. Hogan Street, 5th Floor
Jacksonville, Florida 32202

ONE CITY. ONE JACKSONVILLE.

MEMORANDUM

February 7, 2019

TO: Jacksonville Environmental Protection Board Steering Committee
THROUGH: James A. Richardson, II, Board Administrator
THROUGH: Melissa M. Long, P.E., Chief
Environmental Quality Division
FROM: Tree Kilbourn, Environmental Enforcement Officer
Environmental Quality Division
RE: **AMENDED PROPOSED PRESENTATION TO JEPB – February 19, 2019**
APPROVAL OF CONSENT ORDER SETTLEMENTS

Marietta Sand Corporation (WP-18-70)

Unlawful discharge of turbid water to stormwaters and surface waters; Failure to comply with erosion and sediment control standards

The FaverGray Company (WP-18-69)

Unlawful indirect discharge of sediment and turbid water to stormwaters; Failure to comply with erosion and sediment control standards

CDM Smith, Inc. (WP-18-58)

Alleged unlawful discharge of gray water to MS4

Lennar Homes, LLC (WP-18-53)

Unlawful discharge of sediment and turbid water to surrounding environment; Failure to comply with erosion and sediment control standards

Metric Civil Constructors, LLC (WP-18-07)

Unlawful discharge to surface waters, streets and storm drains; Failure to comply with erosion and sediment control standards

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
FEBRUARY 19, 2019**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,
Petitioner,**

-vs-

**Marietta Sand Corporation,
Respondent.**

Type of alleged violation(s): Unlawful discharge of turbid water to stormwaters and surface waters; Failure to comply with erosion and sediment control standards

Source of alleged violation(s): Cascade Point Project located at Real Estate Parcel ID Number 106173-0000, 14411 Yellow Bluff Road, Jacksonville, Florida

Date of alleged violation(s): On or before 10/8/18 and 10/11/18

Method of determining alleged violation(s): File review and field investigation

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B and D; FAC 62-302.500, FAC 62-302.530(117) and JEPB Rule 3.201 [which adopts and incorporates by reference FAC Chapter 62-302]; and 3.604

ND response to alleged violation(s): Cease and Desist Citation WP-18-70 issued 10/22/18 to Pulte Home Company, LLC and Marietta Sand Corporation

Respondent's corrective actions: Improved BMPs established and maintained

Consent Order settlement fee: **\$6,720** [\$8,400 less 20% for good faith efforts to cooperate]

Consent Order requirements: None

Enforcement actions:

Marietta Sand:

Citation WP-12-18 issued 1/20/06 to Marietta Sand Corporation and Southeast Freight Lines, Inc. for failure to comply with erosion and sediment control standards and unlawful discharge (3335 Edgewood Ave). \$960 penalty paid. Case closed.

Citation WP-05-52 issued 1/20/06 to Marietta Sand Corporation and Pine Grove Dairy, Inc. for failure to comply with erosion and sediment control standards and unlawful discharge (10899 Garden St). \$2,760 penalty paid. Case closed.

NTC issued 10/1/15 for failure to comply with erosion and sediment control standards (207 Riverside Ave). Closed.

NTC issued 8/23/05 for failure to comply with erosion and sediment control standards (Glen Eagle). Closed.

Pulte Home:

Citation NP-03-16 issued 10/22/03 for construction or maintenance equipment during nighttime hours (11000 Burnt Mill Rd). \$2,400 penalty paid. Case closed.

NTC issued 10/14/05 for failure to comply with erosion and sediment control standards (13570 Beach Blvd). Closed.

NTC issued 10/12/05 for failure to comply with erosion and sediment control standards (Wolf Creek). Closed.

NTCs issued 10/3 and 10/10/03 for construction or maintenance equipment during nighttime hours (11000 Burnt Mill Road). Referred to Enforcement.

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
FEBRUARY 19, 2019**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,
Petitioner,**

-vs-

**The FaverGray Company,
Respondent.**

Type of alleged violation(s): Unlawful indirect discharge of sediment and turbid water to stormwaters; Failure to comply with erosion and sediment control standards

Source of alleged violation(s): Construction project located at Real Estate Parcel ID (RE) Number 128159-0010, 5535 Ft. Caroline Rd., RE 128159-0100, 0 University Blvd., and RE 128161-0000, 3607 University Blvd. N, Jacksonville, Florida

Date of alleged violation(s): On or before 9/25/18 and 10/9/18

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

Rules allegedly violated: FS §403.161(1)(b); JEPB Rules 3.103B and D and 3.604

ND response to alleged violation(s): Amended Cease and Desist Citation WP-18-69 issued 1/8/19 to Jackson Commons, LLC, The FaverGray Company and Caila Contracting, LLC

Respondent's corrective actions: Improved performance measures installed and maintained

Consent Order settlement fee: **\$ 2,940** [\$3,675 less 20% for good faith efforts to cooperate]

Consent Order requirements: None

Enforcement actions:

NTCs issued 9/6/18 to Jackson Commons, LLC and The FaverGray Company for failure to comply with erosion and sediment control measures. Referred to Enforcement.

NTCs issued 2/14/18 to Jackson Commons, LLC and The FaverGray Company for failure to comply with erosion and sediment control measures. Closed.

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
FEBRUARY 19, 2019**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,
Petitioner,**

-vs-

**CDM Smith, Inc.,
Respondent.**

Type of alleged violation(s): Alleged unlawful discharge of gray water to MS4

Source of alleged violation(s): 300 block of Adam Street West a/k/a Block 48 Site, Jacksonville, Florida

Date of alleged violation(s): On or before 8/13/18

Method of determining alleged violation(s): Field investigation and file review

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

ND response to alleged violation(s): Cease and Desist Citation WP-18-58 issued 9/17/18

Respondent's corrective actions: CDM reported corrective actions to procedures to ensure development water is placed into appropriate drums for proper disposal

Consent Order settlement fee: **\$2,800** [\$3,500 less 20% for good faith efforts to cooperate]

Consent Order requirements: None

Enforcement actions: None

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
FEBRUARY 19, 2019**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,
Petitioner,**

-vs-

**Lennar Homes, LLC,
Respondent.**

Type of alleged violation(s): Unlawful discharge of sediment and turbid water to surrounding environment;
Failure to comply with erosion and sediment control standards

Source of alleged violation(s): Osprey Landing project located at Real Estate Parcel ID Number 020031-9900, 0
Ker-Del Road South, Jacksonville, Florida

Date of alleged violation(s): On or before 8/2/18

Method of determining alleged violation(s): Field investigation and file review

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B and 3.604

ND response to alleged violation(s): Cease and Desist Citation WP-18-18-53 issued 8/20/18 to Clay Investment
Fund XIV, LLC, Lennar Homes, LLC and Towers Group

Respondent's corrective actions: Improved measures installed a permitted wall and corrections to wall made
pursuant to permits with state agencies

Consent Order settlement fee: **\$1,200** [\$1,500 less 20% for good faith efforts to cooperate]

Consent Order requirements: None

Enforcement actions:

NTCs issued 5/11/18 to Clay Investment Fund XIV, LLC, Lennar Homes, LLC and Ashley Homes, LLC for failure to
comply with erosion and sediment control standards. Closed.

For Lennar Homes, LLC:

NTC issued 3/6/14 for failure to comply with erosion and sediment control standards [Old Middleburg Rd, at Taylor
Field Rd.]. Closed.

**THE ENVIRONMENTAL PROTECTION BOARD
CITY OF JACKSONVILLE, FLORIDA
FEBRUARY 19, 2019**

Consideration of a negotiated Consent Order settlement of:

**CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT,
Petitioner,**

-vs-

**Metric Civil Constructors, LLC,
Respondent.**

Type of alleged violation(s): Unlawful discharge to surface waters, streets and storm drains; Failure to comply with erosion and sediment control standards

Source of alleged violation(s): JTB Apartments project site located at 8876 A C Skinner Parkway, Real Estate Parcel ID Number 147982-8850, Jacksonville, Florida

Date of alleged violation(s): On or before 1/6/18 through 6/15/18 (5 additional days of partial compliance)

Method of determining alleged violation(s): Field investigation and file review

Rules allegedly violated: FS § 403.161(1)(b); JEPB Rules 3.103B and 3.604

ND response to alleged violation(s): Cease and Desist Citation WP-18-07 issued to JTB-AC Skinner, LLC

Respondent's corrective actions: Improved measures installed; worked with general contractor to review drainage plans

Consent Order settlement fee: **\$0** [\$10,700 less 20% for good faith efforts to cooperate, or \$8,560]
100% SEP mitigation credit for developing training program with consultants for on-site crews at an introductory level for crew that does not necessarily work at the level of site inspector draining for DEP erosion and sediment control 2-day course

Consent Order requirements: Develop and present first introductory training class with invitation to course through contractors' associations such as Underground Utility Contractors and North East Florida Builders Association

Enforcement actions:

NTCs issued 1/19/18 to JTB – AC Skinner, LLC and Metric Civil Constructors, LLC for failure to comply with erosion and sediment control standards. Referred to enforcement.

Florida League of Cities

Tracked Legislation as of February 1, 2019

PREEMPTIONS

Impact Fees (Oppose – Preemption)

SB 144 (Bean) and HB 207 (Donalds) prohibit local governments from collecting impact fees prior to the issuance a building permit for the property that is subject to the fee. In addition, the dual rational nexus test is codified in the bills. The dual rational nexus test is the legal standard used by courts to require the expenditures of funds collected by an impact fee, and the benefits that are accrued to the new construction (both residential and commercial) should be reasonably connected to the need for additional capital used for a major facility and should be connected ...

Vegetable Gardens (Oppose – Preemption)

SB 82 (Bradley) and HB 145 (Fetterhoff) preempt any local ordinance or regulation of vegetable gardens on residential property. Some cities have adopted ordinances that regulate the size or use of vegetable gardens in the front yard of homes. While local governments would be preempted from prohibiting vegetable gardens, the bills allow for local ordinances to regulate the use of water during droughts, fertilizer use or invasive species control. The bill was filed in response to a recent appellate court decision that upheld the local regulation of vegetable gardens on residential property. The bills would not apply to ...

Fertilizers (Oppose – Preemption and Mandate)

HB 157 (Thompson) requires all municipalities and counties to adopt and enforce the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes. Local governments would be permitted to adopt ordinances more stringent than the model ordinance upon demonstrating the additional requirements are necessary to address nutrient impairment. The bill appears to eliminate current law provisions that “grandfather” local government fertilizer ordinances adopted prior to 2009. The bill would further mandate all municipalities and counties to require the use of fertilizers that contain a slow-release nitrogen component for residential lawn use. The bill would require municipalities and counties located ...

Impact Fees (Oppose – Preemption)

SB 350 (Hutson) prohibits local governments from charging an impact fee for development or construction of affordable housing. (Branch) ...

UTILITIES & ENVIRONMENT

Fertilizers (Oppose – Preemption & Mandate)

HB 157 (Thompson) requires all municipalities and counties to adopt and enforce the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes. Local governments would be permitted to adopt ordinances more stringent than the model ordinance upon demonstrating the additional requirements are necessary to address nutrient impairment. The bill appears to eliminate current law provisions that “grandfather” local government fertilizer ordinances adopted prior to 2009. The bill would further mandate all municipalities and counties to require the use of fertilizers that contain a slow-release nitrogen component for residential lawn use. The bill would require municipalities and counties located ...

Onsite Sewage Treatment & Disposal Systems (Support)

HB 85 (Robinson) and SB 214 (Gruters) require the Department of Health (DOH) to identify all onsite sewage treatment and disposal systems (OSTDS) in the state by 2021, including their location and operational condition, using available information from state, local and commercial data sources. The bills direct DOH to generate a report to the Legislature that includes the number of OSTDS in each county and a statewide map of the systems. Beginning July 2022, the bills require certified contractors to inspect OSTDSs every five years pursuant to an inspection program administered by DOH. The bills direct DOH to ...

Domestic Wastewater Collection System Assessment & Maintenance (Support)

HB 105 (Jacobs) and SB 286 (Albritton) establish in the Department of Environmental Protection (DEP) a voluntary program for wastewater treatment facilities to become “Blue Star” certified by the agency for engaging in specified management and investment practices to protect public health and the environment and to ensure sustainable performance of the utility. The bills specify requirements for obtaining and maintaining certification and identify incentives for utilities that achieve certification. Certification incentives may include lower penalties when sewer overflows occur, a presumption of compliance with certain water quality standards for pathogens and qualification for 10-year operating permits. (O'Hara) ...

Preemption of Recyclable & Polystyrene Materials (Support)

SB 88 (Stewart) would repeal current state laws that preempt local government regulation of plastic bags and containers and local government regulation of the use and sale of polystyrene products. (O'Hara) ...

Fracking (Support)

SB 146 (Stewart) and HB 239 (Fitzenhagen) would prohibit advanced well stimulation treatment (commonly referred to as "fracking") as defined in the bills. SB 314 (Montford) would prohibit the performance of "high-pressure well stimulation" and "matrix acidization" (also commonly referred to as "fracking") as defined in the bill and would require the Department of Environmental Protection to conduct a study on high-pressure well stimulation and matrix acidization. (O'Hara) ...

Water Quality Improvements (Watch)

HB 141 (Fine) and SB 216 (Gruters) impose new reporting and civil penalty requirements on wastewater treatment facilities and would authorize a dedicated source of funding for projects to improve Indian River Lagoon water quality. Specifically, the bills require wastewater treatment facilities that unlawfully discharge raw or partially treated sewage into a waterway or the aquifer to notify customers within 24 hours of discovering the discharge. In addition, the bills require wastewater treatment facilities to pay to the Department of Environmental Protection (DEP) a civil penalty of \$1 per gallon of sewage unlawfully discharged or to expend \$2 ...

Public Financing of Construction Projects (Watch)

SB 78 (Rodriguez, J.) and HB 169 (Fernandez) require contractors to conduct a Sea-Level Impact Projection (SLIP) study on state-funded buildings within the coastal building zone. The bills do not define the term "coastal building zone." Buildings subject to this requirement would include construction projects of a municipality, county or any other public agency that is using state-appropriated funds for the project. The bills require the Department of Environmental Protection (DEP) to develop guidelines for conducting a SLIP study. In addition, DEP must approve and publish a copy of all SLIP studies for at least 10 years. (O'Hara) ...

Property-Assessed Clean Environment (Watch)

HB 63 (Rodrigues) and SB 282 (Albritton) amend the statutory and the definition of "qualifying improvements" under the Property Assessed Clean Energy Program (PACE) to include sewage treatment improvements. PACE is a means for property owners to voluntarily finance private property improvements related to renewable energy and energy efficiency through assessments levied on their property tax bill. (O'Hara) ...

Prohibition of Plastic Carryout Bags and Straws (Watch)

SB 502 (Rader) would prohibit stores and food service businesses from providing plastic carryout bags to customers. The bill provides exceptions for specified items. In addition, the bill prohibits a food service business from selling or providing single use plastic straws to customers. The business may provide a straw upon request to a person who requires a straw due to a disability or medical condition. The bill provides a \$500 penalty for a first violation and up to \$1,000 for a subsequent violation. (O'Hara) ...

BioSolids/St. Johns River Upper Basin Watershed (Watch)

HB 405 (Grall) provides for the implementation of specified regulations, best management practices and alternative technologies for pollutant reduction within the St. Johns River Upper Basin Watershed Basin Management Action Plan (BMAP). The bill requires the BMAP to include certain assessments and recommendations and specifies implementation schedules. It directs that nonpoint source best management practices be implemented within the BMAP on an expedited basis. The bill prohibits the Department of Environmental Protection from authorizing the disposal of domestic wastewater biosolids within the St. Johns Upper Basin Watershed unless the applicant can affirmatively demonstrate the nutrients from the biosolids ...

Land Acquisition Trust Fund (Watch)

SB 368 (Harrell) provides a \$50 million/7.6 percent appropriation from the Land Acquisition Trust Fund for projects relating to the Indian River Lagoon. ...

Sanitary Sewer Laterals (Watch)

HB 497 (Webb) requires a county water and sewer district to notify a homeowner within 30 days of the discovery of a leaking sanitary sewer lateral on the homeowner's property. The notification does not require any action by the homeowner. The district is required to provide the information to the property appraiser, who must maintain a database of the notification. The bill specifies circumstances under which the district is required to maintain a database of notifications to property owners. (O'Hara) ...



Florida Stormwater Association
Priority Issues – February 1, 2019

Detailed information on the below and other bills may be found on the FSA [Legislative Issues](#) webpage.

OSTDS (HB 85/SB 214)

Directs FDOH to identify certain information for onsite sewage treatment and disposal systems, update its database and submit a report to the Governor and Legislature. Requires periodic inspection of OSTDS and directs FDOH to administer an inspection program; requires owners of such systems to pay costs of inspections and pump-outs.

Domestic WW Systems (HB 105/SB 286))

Requires FDEP to establish a Blue Star Collection System Assessment and Maintenance Program to assist wastewater utilities in limiting sanitary sewer overflows and the unauthorized discharge of pathogens. FDEP is authorized to reduce fines for system overflows at WW utilities that are Blue Star certified and is required to provide such systems with a rebuttable presumption of compliance with water quality standards for pathogens if they demonstrate a history of compliance with the disinfection requirements of their permits.

WWT Pollution Notification (HB 141/SB 216)

Requires any WWT facility to notify its customers of an unlawful discharge of sewage within 24 hours of such discharge. Requires WWT facilities that unlawfully discharge sewage to pay additional fines to FDEP or fund an amount equal to \$2 per gallon of discharged sewage to address the problems which gave rise to the discharge. Allocates \$50M per year from the Land Acquisition Trust Fund for water quality improvement projects in the Indian River Lagoon.

Fertilizer Ordinances (HB 157)

Requires all cities/counties to adopt the “model” fertilizer ordinance. Requires all such ordinances to require the use of slow-release fertilizers. Requires all cities/counties that are within an “estuary runoff area” to include a summertime ban on the use of household fertilizer. Limits the use of “scientific information” when adopting an ordinance to only that provided by DACS, FDEP and IFAS.

Biosolids Disposal (HB 405)

HB 405 is an omnibus bill directed at improving water quality in the St. Johns River. A portion of the legislation bans the disposal of Class A and B biosolids within the St. Johns watershed unless the applicant can demonstrate that the impaired water will not be further impaired by such practice. FSA’s approach is to apply similar regulatory standards as currently exist concerning biosolids in the Lake Okeechobee watershed on a statewide basis and is working on amendments to that effect.

Other Measures

SWU Fee Revisions (monitor) – West Palm Beach lost its appeal of a trial court’s decision that the School Board was not obligated to pay SWU fees at the 4th DCA on January 22nd. FSA members should be aware that measures to legislatively codify decisions of other lower courts that are hostile to municipal stormwater interests may be introduced this Session. Members are encouraged to watch for more information and to [read FSA Counsel’s Opinion](#) concerning agency and public school’s obligations to pay SWU fees, and see a [map of Florida](#) describing the status of court decisions in SWU fee cases.

NOTE: Legislative reports produced by FSA are intended for the benefit of the membership and to further the policies/objectives of the Association. Such communications may contain confidential information and further distribution to other parties may be detrimental to the interests of FSA and the membership. FSA requests that recipients of such information use discretion and good judgment when sending legislative reports to other parties. FSA reserves the right to discontinue providing legislative communications to any party at anytime.

Florida Stormwater Association

2019 Bills Being Tracked (as of Feb 14th)

Number	Title	Sponsor	Last Action
<u>HB 0063</u>	Property-Assessed Clean Environment	Rodrigues (R)	01-03- 2019
<u>SB 0082</u>	Vegetable Gardens	Bradley	01-08- 2019
<u>HB 0085</u>	Onsite Sewage Treatment and Disposal Systems	Robinson	01-03- 2019
<u>SB 0088</u>	Preemption of Recyclable and Polystyrene Materials	Stewart	12-13- 2018
<u>HB 0105</u>	Domestic Wastewater Collection System Assessment and Maintenance	Jacobs	01-03- 2019
<u>HB 0141</u>	Water Quality Improvements	Fine	01-09- 2019
<u>HB 0145</u>	Vegetable Gardens	Fetterhoff	01-28- 2019
<u>SB 0146</u>	Advanced Well Stimulation Treatment	Stewart	01-10- 2019

Number	Title	Sponsor	Last Action
HB 0157	Fertilizers	Thompson	01-09-2019
HB 0207	Impact Fees	Donalds	02-13-2019
SB 0214	Onsite Sewage Treatment and Disposal Systems	Gruters	01-22-2019
SB 0216	Water Quality Improvements	Gruters	01-22-2019
HB 0239	Advanced Well Stimulation Treatment	Fitzenhagen	01-23-2019
SB 0282	Property-assessed Clean Environment	Albritton	01-22-2019
SB 0286	Domestic Wastewater Collection System Assessment and Maintenance	Albritton	01-22-2019
HB 0291	Growth Management	McClain	02-13-2019
SB 0314	Advanced Well Stimulation Treatment	Montford	02-14-2019

Number	Title	Sponsor	Last Action
<u>HB 0325</u>	Coastal Management	LaMarca	01-23-2019
<u>SB 0368</u>	Land Acquisition Trust Fund	Harrell	01-25-2019
<u>HB 0405</u>	St. Johns River Upper Basin Watershed Pollutant Control Program	Grall	01-30-2019
<u>SB 0428</u>	Growth Management	Perry	02-01-2019
<u>SB 0446</u>	Coastal Management	Mayfield	02-01-2019
<u>HB 0447</u>	Open and Expired Building Permits	Diamond	01-30-2019
<u>HB 0481</u>	Opportunity Zones	Omphroy	01-30-2019
<u>HB 0497</u>	Sanitary Sewer Laterals	Webb	01-30-2019
<u>HB 0521</u>	Wetland Mitigation	McClure	01-30-2019

Number	Title	Sponsor	Last Action
SB 0532	Wetland Mitigation	Lee	02-08-2019
SB 0628	Water Resources	Albritton	01-31-2019
HB 0737	Water Pollution Operation Permits	Good	02-11-2019
SB 0902	Open and Expired Building Permits	Perry	02-08-2019
SB 0944	Land Acquisition Trust Fund	Stewart	02-11-2019
SB 0998	Public Notification of Pollution	Montford	02-13-2019

**1000 Friends of Florida
Legislative Tracking – Feb 14 2019**

2019 Florida Legislative Session

CONSERVATION LEGISLATION

Search:

Bill #/Sponsor	Title / Description
<u>Executive Order 1912</u>	Governor DeSantis January 10, 2019 Executive Order <u>Read More</u>
	Governor DeSantis January 29, 2019 Budget Proposal <u>Read More</u>
<u>SB 54/Rouson</u>	SUPPORT SB 54 Possession of Real Property <u>Read More</u>
<u>SB 88/Stewart</u> <u>HB 6033/Grieco</u>	SUPPORT SB 88/HB 6033 Preemption of Recyclable and Polystyrene Materials <u>Read More</u>
<u>SB 92/Book</u> <u>HB 95/Jacobs</u>	SB 92/HB 95 C-51 Reservoir Project <u>Read More</u>
<u>SB 146/Stewart</u> <u>HB 239/Fitzenhagen</u>	SUPPORT SB 146/HB 239 Advanced Well Stimulation Treatment (Fracking) <u>Read More</u>
<u>SB 214/Gruters</u> <u>HB 85/Robinson</u>	SUPPORT SB 214/HB 85 Onsite Sewage Treatment and Disposal Systems (Septic Tanks) <u>Read More</u>
<u>SB 216/Gruters</u> <u>HB 141/Fine</u>	SB 216/HB 141 Water Quality Improvements <u>Read More</u>
<u>SB 222/Rodriguez</u>	SUPPORT SB 222 Private Property Rights <u>Read More</u>
<u>SB 282/Albritton</u>	SUPPORT SB 282/HB 63 Property-Assessed Clean Environment <u>Read More</u>

Bill #/Sponsor	Title / Description
SB 314/ Montford	SB 314 Advanced Well Stimulation Treatment (Fracking) Read More
SB 376/Montford HB 555/Montford	SB 376/HB 555 Land Acquisition Trust Fund Read More
SB 446/Mayfield HB 325/LaMarca	SB 446/HB 325 Coastal Management Read More
SB 502/Rader	SB 502/Prohibition of Plastic Carryout Bags and Straws Read More
SB 532/Lee HB 521/McClure	SB 532/HB 521 Wetland Mitigation Read More
SB 588/Hutson HB 603/Sabatini	OPPOSE SB 588/HB 603 Single-use plastic straws Read More
SB 628/Albritton	SB 628 Water Resources Read More
SB 694/Rodriguez	NEW! SB 694 Disposable Plastic Bags Read More
HB 105/Jacobs SB 286/Albritton	HB 105/SB 286 Domestic Wastewater Collection System Assessment and Maintenance Read More
HB 157/Thompson	SUPPORT HB 157 Fertilizers Read More
HB 405/Grall	HB 405 St. Johns River Upper Basin Watershed Pollutant Control Program Read More

Florida Local Environmental Resource Agencies (FLERA)

2019 Legislative Priorities

GUIDING PRINCIPLES

FLERA supports legislation that provides flexibility for local control of environmental protection. FLERA opposes legislation that contains unfunded mandates or preemption of home rule authority relating to environmental regulations or programs.

LAND ACQUISITION AND MANAGEMENT

FLERA supports full funding of the Florida Forever program for the acquisition of environmentally sensitive lands. FLERA supports an allocation from the Land Acquisition Trust Fund (LATF) for local government land management activities on environmentally sensitive state lands.

FLOODPLAIN MANAGEMENT

FLERA supports legislation that would provide funding for local government flood mitigation and coastal resiliency projects including supporting priorities of the existing National Estuary Programs and the creation of Estuary Programs in the Panhandle.

PETROLEUM STORAGE TANKS

FLERA supports full funding for DEP local government cleanup contracting and local government compliance verification contracting.

OFFSHORE DRILLING

FLERA opposes efforts to increase offshore drilling activities in state or federal waters. FLERA supports the federal Gulf of Mexico Energy Security Act of 2006 (GOMESA), which bans oil and gas leasing within 125 miles off Florida's Gulf Coast until 2022. FLERA opposes any federal legislation that moves the ban to an earlier date. FLERA supports keeping Florida's East Coast free from offshore drilling and maintaining the Department of Interior's commitment to remove Florida from consideration in the next draft of the proposed leasing plan.

OCEAN OUTFALLS

FLERA supports state funding to expedite the closure of ocean outfalls in Florida.

BIOSOLIDS

FLERA supports state funding for innovative projects to address Florida's biosolids challenges.

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Caleena Shirley
David Wood
Thomas Deck
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**Bobby L. Baker, P.E., Edmund Clark, M.D., Roi Dagan, M.D.,
Thomas Deck, Caleena Shirley, David Wood**

EPB ADMINISTRATOR REPORT – February 2019

- ✓ **Two candidates have been forwarded to the Mayor's Office for consideration of the Discreet Citizen vacancy. I will keep you updated on the progress.**
- ✓ **The planning team for the 2019 EPB-UNF Environmental Symposium will be meeting this week. Please share with me any specific suggestions you would like to be included in the event so that I can share them with the team.**
- ✓ **The 2019 Jax Aquafest was successfully held on February 2nd at MOSH. We had just under 2,000 people come through the museum to visit the 15 organizations that were represented. Our next sponsored festival will be Envirofest to be held in October at the Cummer Museum.**
- ✓ **Recall that Ord 2015-268 requires that all members of Boards and Commissions must attend at least one live Ethics training session every four years. This is applicable to members of the JEPB as well. For those who have yet to attend one, the next upcoming session will take place on February 28th from 12 noon to 1 pm in the Lynwood Roberts Room located on the first floor of City Hall. You are able to bring a lunch or drink if you like. If you would like to attend, please let me know and I will ensure you are registered.**
- ✓ **There are two groups assembled to consider the future impact of sea level rise in Jacksonville. The Chair has asked that I monitor the progress of each and keep the JEPB informed.**

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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

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Steven Jenkins

Michelle Tappouni – Chairman
Nick Howland – Vice Chairman
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Roi Dagan, M.D., Amy Fu, P.E., Steven Jenkins,
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EPB Top Five 2015 Legislative Issues

- It is anticipated that water will be a prominent topic of discussion during this upcoming session, in both houses. The St. Johns River is one of our area's treasured natural assets. The EPB **supports** any efforts to strengthen measures which improve the Upper, Middle and Lower St. Johns River Basins including legislative appropriations to fund restoration projects.
- In the area of Water Policy and Water Supply, the EPB **supports** the use of local sources of water first, the public ownership of groundwater, and the regional water management district framework rather than the creation of a statewide entity. We also **support** legislation that prioritizes local water conservation efforts and use of Reclaimed Water.
- The EPB **supports** legislation to fund septic tank remediation, improve sanitary sewer and Stormwater systems, and increased reclaimed water usage.
- The EPB **supports** home rule authority. Where there are long-established local government environmental programs, such as Jacksonville's, which has been in existence since 1965, we strongly encourage you to maintain home rule authority for local governments, including for example, the regulation of fertilizer application. It is extremely important that local governments have the ability to control pollution entering their waterways, especially those under federal and state imposed water quality limits.
- The EPB **supports** sufficient funding to maintain ongoing local environmental programs and to return fees paid by local pollution sources to the local environmental programs.

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2014 / 2015 EPB STATE LEGISLATIVE POLICY POSITIONS

Water Pollution, Sanitary Sewer & St. Johns River Restoration

SUPPORT legislation to fund septic tank remediation, improve sanitary sewer and stormwater systems, and increased reclaimed water usage. **SUPPORT** strengthening measures that improve the Upper, Middle, and Lower St. Johns River Basins including legislative appropriations to fund restoration projects. We also encourage administration by the Florida Department of Environmental Protection when appropriate.

Florida Water Policy

SUPPORT the existing framework of regional water management districts and efforts to improve coordination between water management districts and local governments. **OPPOSE** legislation that shifts water supply allocation from a publicly regulated process to a market driven process that would undermine the fundamental principal of Florida water law that establishes a right of use but not a right of ownership. **OPPOSE** the creation of a statewide water commission that would preempt authority of the water management districts or local governments. **SUPPORT** legislation that prioritizes local water conservation efforts and use of Reclaimed Water and encourages public awareness on the subject.

Ambient Air Quality

SUPPORT legislation that supports local programs within the community for improved air quality which target emission reductions from mobile and stationary sources.

Home Rule / Local Authority

OPPOSE legislation that undermines local authority over environmental regulations & land use.

Budget

SUPPORT sufficient funding to maintain ongoing environmental programs. Retain fees paid by local pollution sources in the local pollution control program budget.

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2014 / 2015 EPB STATE LEGISLATIVE POLICY POSITIONS (page 2)

Science Based Policy Formation

SUPPORT legislation that is crafted from sound, thorough scientific study by reputable, impartial scientists and that fosters ongoing scientific investigation.

Sustainable Development

SUPPORT legislation which continues and encourages sustainable building programs, incentives to minimize the environmental impact of new construction and encourages retrofitting existing buildings. **SUPPORT** legislation which encourages Low Impact Development and Florida Friendly Landscape practices for new development and retrofitting existing development.

Wetlands Protection and Mitigation Banking

SUPPORT legislation that requires effective functional mitigation as close as possible to areas where wetland impacts occur and monitoring of their status. **OPPOSE** legislation that would eliminate the wetlands cumulative impact consideration.

Environmental Education

SUPPORT legislation that promotes standardized programs of environmental education in public schools, colleges and the public at large and provides adequate funding for implementation.

Florida Energy Policy: Conservation, Renewable Energy Least-Polluting Technology for Electricity Generation

SUPPORT legislation to develop a comprehensive energy policy for Florida; **SUPPORT** the research, development and purchase of renewable energy sources; **SUPPORT** standards and other measures for energy conservation and energy efficiency in Florida; **SUPPORT** the use of least-polluting technology for energy generation.

Florida Forever, Conservation Management and Greenway & Trails Funds

SUPPORT the equitable distribution of land acquisition, preservation, and management funding throughout the State. **OPPOSE** efforts to divert these Funds to the general fund or to purposes other than those intended in the originating legislation. **OPPOSE** legislation, which provides for the surplus of property acquired under Florida Forever if the legislation does not include a process for consideration and resolution of local government objections. **SUPPORT** legislation that provides State-funding assistance to counties for management of natural parks and conservation lands.

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2014 / 2015 EPB STATE LEGISLATIVE POLICY POSITIONS

(page 3)

Growth Management

SUPPORT growth management initiatives that preserve the State's role in protecting the environmental integrity of Florida's natural resources.

Gas and Oil Exploration

Although the JEPB has not taken a position for or against offshore drilling in state waters, we **support** legislation that requires study and public vetting prior to considering legislation which allows or expands drilling and exploration offshore within State and Federal waters off Florida's coast. **OPPOSE** exploration offshore within State and Federal waters off Florida's coast which pose a threat to the area's fishing and tourism industries, have the potential to interfere with the military operations off of Jacksonville and pose potential irrevocable environmental hazard. **OPPOSE** legislation which allows or expands drilling and exploration within the Big Cypress Swamp, the Everglades, or on other areas of environmentally significant land. **OPPOSE** well stimulation practices and techniques.

Brownfield Restoration

SUPPORT legislation that accelerates rehabilitation of contaminated sites including increasing the percentage of primary lenders loans for redevelopment projects in Brownfield areas to which the limited state loan guaranty under the Brownfield Areas Loan Guarantee Program applies increasing the maximum amount of tax credit allowed for rehabilitation of dry-cleaning-solvent-contaminated sites and Brownfield sites; and increasing the total annual amount of contaminated site rehabilitation tax credits allocated by DEP.

Performance-Based Permitting

SUPPORT the concept of performance-based permitting if the proposed legislation includes performance incentives and policies which sufficiently address county concerns related to non-compliance penalties, treatment of entities with multiples facilities, and possible impediments to voluntary settlements.

Sea Level Rise

ENCOURAGE legislation that authorizes sound, thorough scientific study of the issues by reputable, impartial scientists and legislation which fosters ongoing scientific investigation.

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2014 / 2015 JACKSONVILLE ENVIRONMENTAL PROTECTION BOARD FEDERAL LEGISLATIVE POLICY POSITIONS

Gas and Oil Exploration

Although the JEPB has not taken a position for or against offshore drilling in state waters, we **SUPPORT** legislation that requires study and public vetting prior to considering legislation which allows or expands drilling and exploration offshore within State and Federal waters off Florida's coast. **OPPOSE** exploration offshore within State and Federal waters off Florida's coast which pose a threat to the area's fishing and tourism industries, have the potential to interfere with the military operations off of Jacksonville and pose potential irrevocable environmental hazard. **OPPOSE** legislation which allows or expands drilling and exploration within the Big Cypress Swamp, the Everglades, or on other areas of environmentally significant land.

Climate Change

ENCOURAGE legislation that authorizes sound, thorough scientific study of the issues by reputable, impartial scientists and legislation which fosters ongoing scientific investigation.