



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

Office of Administrative Services  
Environmental Quality Division  
214 N. Hogan Street, 5<sup>th</sup> Floor  
Jacksonville, Florida 32202  
(904) 255-7100  
[www.jacksonville.gov](http://www.jacksonville.gov)

**E-mail:**

[mike.h@blackallunderground.com](mailto:mike.h@blackallunderground.com)

Blackall Underground Construction LLC  
2936 Tuscarora Trail  
Middleburg, FL 32068

**RE: Cease and Desist Citation ESC-25-06**

**Jacksonville Mini Storage construction project located at Real Estate I.D. Number (RE) 006673-0200, addressed at 75 Chaffee Road Jacksonville, Florida (the "Project")**

**Discharge of non-stormwater or turbid water to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.**

## Consent Order

The purpose of this letter is to complete the resolution of violations of the City of Jacksonville Environmental Protection Board (JEPB) Rule 3 as identified by the Office of Administrative Services in Cease-and-Desist Citation **ESC-25-06** (the "Citation"), a copy of which is attached as Exhibit A and incorporated herein. The corrective action was completed by establishing the best management practices to control erosion and sediment. To complete the resolution of this case, the payment of a civil penalty of **\$2,100** is required. The check shall be made payable to the City of Jacksonville **Environmental Protection Trust Fund** and shall be mailed to the Department's Environmental Quality Division ("EQD") at **214 N. Hogan Street, Fifth Floor, Jacksonville, FL 32202** and **Reference ESC-25-06** within 30 days after approval of this agreement by the JEPB. *EQD cannot accept this payment until after JEPB approval. Do not submit payment until receipt of a fully executed Consent Order with the JEPB Chair signature.*

Payment of such amount does not constitute, nor shall it be construed as, an admission of liability or wrongdoing for any allegations in the Citation.

Your signing of this letter constitutes your agreement to the terms of the letter. After this letter has been countersigned by the Department and approved by the JEPB, this letter shall constitute a consent order and final action on behalf of the Department and full satisfaction of the Citation and the matters alleged in the Citation. The terms of the consent order may be enforced in a court of competent jurisdiction, pursuant to Jacksonville Ordinance Code Chapter 360. Failure to comply with the terms of this consent order may constitute a violation of Jacksonville Ordinance Code Section 362.110.

The Department for, and in consideration of, the timely performance by the Respondent of the obligation agreed to in this consent order, hereby waives any rights to seek administrative or judicial imposition of civil and administrative action, complaints, citations, causes of action, and claims arising from the Citation. The Respondent waives its right to an administrative hearing on, or judicial review of, the terms of this consent order.

Failure to sign and return this document to the Department on or before **June 6, 2025**, will be assumed to be a rejection of the settlement agreement contained herein. This matter will then be referred to the City’s Office of General Counsel for further action.

**CITY OF JACKSONVILLE  
OFFICE OF ADMINISTRATIVE SERVICES**


6/9/2025	
_____	_____
Date	Richard A. Reichard
	Office of Administrative Services

**Blackall Underground Construction LLC**

6/9/2025	
_____	_____
Date	Print Name: Mike Harvey
	Print Title: PM

**ORDER**

I hereby certify that the foregoing document was adopted by order of the Environmental Protection Board of the City of Jacksonville this 16 day of June, 2025.

  
\_\_\_\_\_  
Thomas Deck, Chair  
Jacksonville Environmental Protection Board



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# City of Jacksonville, Florida

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[www.jacksonville.gov](http://www.jacksonville.gov)

## CEASE AND DESIST CITATION ESC-25-06

### U.S. Mail

Lonestar Properties NC, Inc.  
711 Central Ave N.  
Locust, NC 28097

### Certified Mail

**Certified Number:** 9489009000276495274267  
Lonestar Properties NC, Inc.  
c/o David Bigford  
9126 Debbie Lane  
Hudson, FL 34669  
**ATTN: Registered Agent**

### U.S. Mail & Certified Mail

**Certified Number:** 9489009000276495274236  
Design Haus Architecture, LLC  
7901 4th Street N STE 300  
St. Petersburg, FL 33702

### Certified Mail

**Certified Number:** 9489009000276495274250  
Design Haus Architecture, LLC  
c/o Registered Agents Inc  
7901 4th Street N STE 300  
St. Petersburg, FL 33702  
**ATTN: Registered Agent**

### U.S. Mail & E-mail:

[blackalluc LLC@gmail.com](mailto:blackalluc LLC@gmail.com)

Blackall Underground Construction LLC  
2936 Tuscarora Trail  
Middleburg, FL 32068

### Certified Mail

**Certified Number:** 9489009000276495274243  
Blackall Underground Construction LLC  
c/o Jeffrey Blackall  
2936 Tuscarora Trail  
Middleburg, FL 32068  
**ATTN: Registered Agent**

### RE: Duval County – Water Pollution

Jacksonville Mini Storage construction project located at Real Estate I.D. Number (RE) 006673-0200, addressed at 75 Chaffee Road Jacksonville, Florida (the "Project")  
Discharge of non-stormwater or turbid water to City municipal separate storm sewer system ("MS4"); Failure to comply with erosion and sediment control requirements.

**PLEASE TAKE NOTICE** that pursuant to Florida Statutes (FS) Chapter 403 and Jacksonville Ordinance Code (JOC) Title X, Chapters 360 and 362, property owner, developer and contractor are hereby notified that they are in violation of FS Chapter 403 and Jacksonville Environmental Protection Board (JEPB) Rule 3.

On April 11, 2025, Environmental Quality Division ("EQD") staff inspected at the Project and documented:

- a. a violation of Rule 3.103.B for the discharge of non-stormwater including, but not limited to, sediment and turbid water, to the MS4 and the following water quality sampling results are a violation of Rule 3.201:

- i. a water sample collected in MS4 at the point of discharge from the Project had a laboratory analytical result of 3300 Nephelometric Turbidity Units (NTUs).
  - ii. a water sample upstream of the point of discharge had a background laboratory analytical result of 3100 NTUs.
  - iii. The state surface water quality standard for turbidity is to not exceed 29 NTUs above natural background conditions.
- b. a violation of Rule 3.604 for the insufficient installation or maintenance of erosion and sediment control performance measures (referred to as "BMPs") for all areas of disturbed soil at the Project to ensure all non-stormwater including, but not limited to, sediment and turbid water remained within the Project scope and boundaries and did not discharge to public streets, MS4, surface water or wetlands.

During the time of EQD's inspections, the Project owner was:

**Lonestar Properties NC, Inc.**, a Foreign profit corporation, pursuant to the Warranty Deed dated 6/19/2020, and recorded in the Official Records of Duval County, Florida in Book 19253 and Page 1977.

During the time of EQD's inspection, the Developer was:

**DesignHaus Architecture, LLC**, a Foreign Limited Liability Company

During the time of EQD's inspection, the Project contractors included, but may not be limited to:

**Blackall Underground Construction LLC**, a Florida Limited Liability Company.

The violations were determined by the Office of Administrative Services' EQD staff during site investigation and records review. The enforcement investigation documentation is available for review and will be provided electronically to each party as detailed below.

### **CORRECTIVE ACTION REQUIRED**

1. Cease the unpermitted Discharge of non-stormwater including, but not limited to, turbid water and/or sediment from the Project and remove or abate the cause of the violations which are allowing unpermitted Discharge to public streets, MS4, surface water or wetlands.
2. Acknowledge this Cease and Desist Citation **within two days of receipt** by contacting EQD Staff by email at [enforcement@coj.net](mailto:enforcement@coj.net) and EQD will then provide the investigation documents by response email. You may also call (904) 255-7100 to speak with EQD Staff about this Citation. However, we must receive an email from you to facilitate communication.
3. Comply with erosion and sediment control requirements by completing a review of the original SWPPP and selection, installation and maintenance of the erosion and sediment control performance measures:
  - a. If the project is still active as of the date of this Citation, perform an assessment of the best management practices (BMPs) for erosion and sediment control currently being used at the Project (BMP Assessment), using guidance in the DEP Manual as a reference.
  - b. The BMP Assessment shall identify all areas of potential discharge/drainage from the Project, including, but not limited to, all areas of stormwater drainage and stormwater and sediment runoff and all areas of where soil is not stabilized, especially along boundaries abutting public streets, stormwater, surface water and wetlands.
  - c. The BMP Assessment shall also identify any areas in which BMPs need to be improved, installed, and maintained to eliminate all unpermitted Discharges of non-stormwater, sediment and turbid water to public streets, stormwater, surface water and wetlands and prevent water quality violations for turbidity.

- d. A revised Stormwater Pollution Prevention Plan (SWPPP) drawing or similar mapping of location of BMPs shall be provided with the BMP Assessment.
4. A written response to this Citation is **required within ten (10)** business days from the date of receipt of this Citation and must include the **BMP Assessment** (if Project is still active), dates of implementation, BMP inspection reports for the last 6 months or from the start of construction activity, whichever is less, and photographs of the improved site conditions. Because there were off-site impacts, a penalty will be assessed for this incident and for each day that the problem persists

Jacksonville Ordinance Code Section 362.110 provides for a continuing maximum potential penalty of \$10,000 per day of violation. If litigation or an administrative hearing is required to achieve compliance, full penalties and recovery of legal fees will be sought.

DATED this 6 day of May, 2025

City of Jacksonville  
OFFICE OF ADMINISTRATIVE SERVICES

Signed by:  
  
By: 3190CA007311423  
Richard A. Reichard, Office of Administrative Services

cc: ESC Staff  
DEP Staff

DATE MAILED: 05/07/2025