Jacksonville Environmental Protection Board

Tuesday, January 17, 2023

MONTHLY MEETING SUMMARY

MEMBERS PRESENT:

David Wood, Chair

Guillermo Simon

Sunil Joshi

Charles Garrison

Clint Noble

Beth Leaptrott

MEMBERS NOT PRESENT:

Thomas Deck, Vice-Chair

Adam Hoyles

STAFF/RESOURCES PRESENT:

James Richardson, JEPB Administrator

Melissa Long, Chief - EQD

Cherry Pollock, OGC

Mike Williams, EQD

Terry Carr, EQD

VISITOR(s) PRESENT:

John Nooney

CALL TO ORDER DAVID WOOD

INTRODUCTIONS

Chair Wood called to order the monthly meeting of the Jacksonville Environmental Protection Board (JEPB) at 5:03 pm. A quorum was not established. Member Leaptrott joined at 5:10 which established the quorum.

CHAIRMANS REMARKS

Chair Wood introduced Dr. Sunil Joshi and welcomed him to his first meeting. He also introduced Chiquita Moore and welcomed her as the new Director of the Neighborhoods Department. Both shared background on themselves and expressed looking forward to working with the JEPB.

COMMENTS FROM THE PUBLIC

John Nooney shared various thoughts concerning minutes from past meetings, artificial reefs, the status of Pottsburg Creek and corruption on our waterways.

APPROVAL OF MINUTES

A motion to approve meeting summaries for the December 12th JEPB meeting was made (Garrison), properly seconded (Simon) and approved by the body.

CONSENT ORDERS

**Air/Noise**

* None

**Water**

* + **SI Homes RCL LLC, Southern Impression Development LLC, and K T Carter Contracting, Inc. -** *[WP-22-46 at 0 120th Street]* Discharge of non-stormwater to MS4; Failure to comply with erosion and sediment control requirements.

Respondent’s corrective actions:

None

Consent Order settlement fee: **$2,800**

Penalty Calculation: Allowed = 44 NTUs Discharge at P.O.D. to MS4 = 260 NTUs

Moderate Potential for Harm: Discharge of non-stormwater or turbid discharge to MS4 with some BMPs but not sufficient or noncompliant installation/maintenance

Major Extent of Deviation: Sampling results of greater than 170% over standard

Consent Order requirements:

* Immediately upon the effective date: Monitor, sample, notify EQD and report to EQD until Final Stabilization
* Within 14 days of the effective date: Perform/Revise BMP Assessment
* Within 21 days of the effective date: Submit BMP Assessment to EQD
* Within 28 days of the effective date: Implement BMP Assessment
* **Scannell Properties #458, LLC, Project owner, and Cooper Construction LLC, contractor** *[WP-22-18 at 2700 Powers Ave.]* Discharge of non-stormwater to MS4; Failure to comply with erosion and sediment control requirements.

Respondent’s corrective actions:

Discharge had stopped as of 4/6/2022 reinspection, BMPs still not in accordance with DEP Manual

Consent Order settlement fee: **$4,900**

Moderate Potential for Harm: Discharge of non-stormwater to MS4 with some BMPs but not sufficient or noncompliant installation/maintenance

Minor Extent of Deviation: Discharge of non-stormwater to MS4

Consent Order requirements:

* Immediately upon the effective date: Monitor, sample, notify EQD and report to EQD until Final Stabilization
* Within 14 days of the effective date: Perform/Revise BMP Assessment
* Within 21 days of the effective date: Submit BMP Assessment to EQD
* Within 28 days of the effective date: Implement BMP Assessment

A motion was made to approve the consent orders as presented (Simon), properly seconded (Garrison) and approved by the body.

ENFORCEMENT REPORT MELISSA LONG

No questions or concerns.

PRESENTATION(s)

None

PUBLIC HEARING(s)

None

OLD BUSINESS

* Possible Retreat
* Education and Public Outreach

Mr. Richardson shared the results of the questionnaire sent to members seeking input for the retreat. Members expressed a desire to have some discussion of JEPB roles/responsibilities and meetings along with considerable time given to discuss the Environmental Protection Fund and how to manage it. After some discussion, the consensus of the members was to hold a 3–4 hour retreat on a committee meeting date. It was determined that the retreat would be scheduled for 4:30 – 7:30 pm on Monday, February 27th. A confirmed calendar appointment would be sent.

NEW BUSINESS

* 2023 Legislative Positions

Mr. Richardson shared some background on how legislative positions have been used by the JEPB in the past. He shared the results from the recent questionnaire to members and the last positions approved by the JEPB. He suggested taking the priority positions determined with the questionnaire and update the position statements last approved and bring back to the JEPB to be voted on at the February meeting.

* Funding Request – 2023 State of the River Report

Mr. Richardson shared his review of the funding request from JU for the 16th annual State of the River Report. He shared that at the board’s request, staff met with the administration last year to try and secure a line item in the COJ budget for the report but were unsuccessful. With that, the proposal would be for the next report and that another attempt would be made to secure dedicated COJ funding at some point in the future. The request meets the requirements of the ordinance code and provides an update to the well established and much anticipated report. He recommended approval with the following conditions:

* + - 1. Seek approval of an appropriation of $107,693 to Jacksonville University to provide funding for the Sixteenth State of the River Report to be disbursed per terms outlined in a research agreement.
      2. Seek approval of the research agreement
      3. Seek waivers of Sec. 111.755 and Sec 360.602 to allow for continued funding of the report.
      4. Seek exception to Sec. 126.107(g), Ord Code as Jacksonville University will be listed in the authorizing legislation.
      5. Seek waiver of Sec. 110.112, Ord Code to allow for the advance of City funds.

A motion was made to approve the funding request as recommended (Simon), properly seconded (Garrison) and approved by the body.

COMMISSION & JEPB COMMITTEE UPDATES

* **Waterways Commission** – No report.
* **KJB Commission** – There was no update from the last meeting.
* **JEPB Water Committee** – Mr. Carr discussed information from the Water Branch report and responded to member questions. He discussed abnormal levels detected in a few tributaries that happen to be adjacent to COJ parks and shared that staff believes them to be caused by improper disposal of pet waste. He suggested some increased education and outreach efforts around pet waste. Several things were discussed, and Mr. Richardson shared that he would work on something and bring a plan to the next meeting.
* **JEPB Air Committee** – Mr. Williams discussed information from the Air Branch report and responded to member questions.

EPB ADMINISTRATOR REPORT

Mr. Richardson shared that the 2023 Florida Legislative session will commence in March and that he and Chief Long will monitor legislation to keep the members informed. He asked for any specific areas of interest to be provided to him.

ENVIRONMENTAL QUALITY DIVISION REPORT

Chief Long had no updates from the Division.

ITEMS REFERRED TO COMMITTEES

None

NEXT SCHEDULED BOARD MEETING(s)

* JEPB Committees

Air Committee – TBD

Water Committee – TBD

* JEPB Steering Committee – February 13, 2023, at 4:00 pm
* JEPB Monthly Meeting – Tuesday, February 21, 2023, at 5:00 pm
* JEPB Retreat – Monday, February 27, 2023, at 4:30 pm

The meeting was adjourned at 6:08 pm.