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**JACKSONVILLE WATERWAYS COMMISSION
ST. JOHNS RIVER ACCORD SUBCOMMITTEE**

Meeting Minutes

**November 22, 2023
11:00 a.m.**

Location: Don Davis Room, 1st floor, City Hall

In attendance: Council Member Jimmy Peluso (Chair), Waterways Commissioners Jon Michael Barker, Richard Redick, Adam Hoyles (*ex officio*); Lisa Rinaman – St. Johns Riverkeeper; Capt. Jim Suber – Waterways Coordinator; Dr. Gerry Pinto – Jacksonville University; Wayne Young – JEA; Melissa Long, James Richardson – Environmental Quality Division; Jill Enz – Natural and Marine Resources Division; Rita Mairs and Shannon McGillis – Office of General Counsel; Brian Burkett – Parks, Recreation and Community Services Department

Also: Jeff Clements - City Council Research Division

Meeting Convened: 11:00 a.m.

Council Member Paluso convened the meeting and talked about the importance of the river and the River Accord and the need for a new generation of leaders and interested citizens to understand what the Accord’s original purpose was and what happened with it, with an eye toward perhaps reinvigorating the effort. The attendees introduced themselves for the record.

Capt. Jim Suber gave an introduction to the history of the River Accord and the causes that brought it into effect. The condition of the river at the time was a major factor, with excessive nutrients and algae blooms common along with pollution from septic tanks. Since Jacksonville is at the downstream end of the drainage basin, the actions of other counties upstream have a substantial impact on water quality here.

St. Johns Riverkeeper Lisa Rinaman said that a Basin Management Action Plan (BMAP) was adopted around the same time as the River Accord following the “Green Monster” algae bloom in 2005 to

mobilize many partners to have a comprehensive action plan to protect and improve the river via the adoption to Total Maximum Daily Loads (TMDLs) for several nutrients in the river. There was a significant public education effort at the time about the causes and effects of pollution which seemed to be working at the start, however the upstream pollutant sources were never satisfactorily addressed. Wayne Young of JEA said the utility was and is an active participant in the effort to improve water quality. Ms. Rinaman reviewed the history of the actions taken regarding pollution reduction. She said then-State Senator John Thrasher directed substantial state money to wastewater treatment plant improvements in the early years, and numerous regulatory agencies, utilities and governments partnered to do studies and assessments of the river.

Melissa Long, Chief of the Environmental Quality Division, said the BMAP was an attempt to find the best ways to achieve the nutrient reduction goals, and a mechanism was started for trading BMAP credits for both wastewater and stormwater discharges of phosphorous and nitrogen. The BMAP and the River Accord were linked from the beginning. The River Accord was created in 2006 followed by the BMAP system in 2008 and both identified lists of water quality improvement projects which included such things as BMAP credits for a fertilizer regulatory ordinance and public education efforts. CM Peluso asked for details on the fertilizer ordinance. Ms. Long said it prohibits application of fertilizer within 10 feet of a waterway and the establishment of a low maintenance zone (no mowing) within 6 feet the water's edge. The City did public education outreach when the BMAP was first adopted. Ms. Long said the Florida Department of Environmental Protection is supposed to update the BMAP every 5 years, and local governments originally had 15 years to reach compliance, which ends this year. It is now time for FDEP to revise the plan. Commissioner Reddick asked what has happened in the first 15 years and how well the goals of the accord are being met. Ms. Long said she had done a summary of the accomplishments of the first 10 years that could be pulled and circulated to the group.

CM Peluso said it seems most people have forgotten about the River Accord in the last decade and don't think about it any more. Ms. Rinaman said it showed a unified front for the region in the attempt to get state and federal funding for the river. Other parts of the state (i.e. the Everglades) are doing a much better job of getting funding for nutrient reduction programs. Dr. Gerry Pinto of the Jacksonville University Marine Science Research Institute said that the state's wastewater biosolids land disposal law has changed and now Northeast Florida is seeing more of that material being disposed of in this area from other regions of the state. He said it is timely to look at the River Accord and the river condition now. JEA has done a great job of reducing nutrients in its wastewater treatment plant point source discharges, but Jacksonville get a tremendous amount of nutrients from upriver.

Commissioner Reddick said a scorecard would be helpful for everyone involved in the Accord and would inform the citizens about what's really happening with the river and how conditions are changing. Mr. Peluso said he would like to see a scorecard of what's happened presented at the next committee meeting. He would also like to see FDEP participate in these meetings. Ms. Rinaman suggested getting the St. Johns River Water Management District involved as well. She said that agency is just now working on its next 5-year water plan. Sea level rise changes the nature of the river's problems and impacts what is most important to tackle first. There are lots of calculations and levels and permits to be considered. Mr. Young said a river scorecard should look at the 4 priority areas from the original Accord. This is a regional issue so also needs to look at what other counties are doing. The River Accord influenced what JEA did in the 2000s and they got ahead of the BMAP process and are getting major credits for their nutrient reductions.

Chairman Peluso said river access was also an important consideration and we need more of it. Everyone has a right to enjoy and access the river.

Mr. Peluso announced two topics for the next meeting: 1) a River Accord progress scorecard, and 2) an introductory meeting with FDEP representatives to get them involved (coordinated with the Mayor's Office).

Adam Hoyles of the Environmental Protection Board said the EPB is looking for some "low hanging fruit" projects to get quick results on visible improvements, in coordination with the City's Chief Resilience Officer. He said there are BMAPs for all of the St. Johns River tributaries in Jacksonville but there doesn't seem to be many tributary projects to attempt to get the desired results. He thinks the Florida Inland Navigation District project grant application process has been handled very well in Jacksonville, which has a good process for developing and submitting design and construction projects for funding, along with backup projects should any of the primary projects fall through. He said the same kind of process is needed for developing and ranking BMAP and tributary improvement projects. He believes the City does too many "one-off" projects to deal with specific needs in specific places that don't relate to other projects and other tributaries. The work being done in McCoy's Creek and Hogan's Creek shows the need for natural, "green" infrastructure rather than hardscape solutions. Those projects are expensive to do because of the need to undo the bad decisions of the past. He suggested the need for a comprehensive list of all the projects that need doing and pushing whichever ones can move fastest and get things done immediately to show some tangible progress. The needs of different water bodies are very different, so remediation projects will need to be very different as well.

Melissa Long noted that there are separate BMAPs for bacteria in tributaries that are different from the BMAPs for nutrients. Chairman Peluso said it would be helpful to know how much money goes into BMAP compliance, green infrastructure, resiliency, etc. annually and what funding sources have been used. Ms. Rinaman said there are unprecedented amounts of money available right now to deal with water quality conditions, especially for underserved and disadvantaged areas and populations. She said Lisa King recently did a matrix of available funding for one of the Mayor's transition teams which she will provide.

Mr. Young asked how resiliency efforts play into this discussion and said it might be a good addition to the Accord on a regional basis. Mr. Hoyles agreed and said he would like to see how resiliency impacts entire watersheds and how that changes how projects are prioritized. Jacksonville is tremendously impacted by what happens upstream. Ms. Rinaman said all of the lower basin plans depend on reductions from upstream, but the upper St. Johns River basin doesn't have a BMAP. Dr. Gerry Pinto of Jacksonville University said that probably every funding source from now on will have a resiliency requirement attached to it. Mr. Peluso referenced the Chief Resiliency Officer's recently released comprehensive resiliency plan. Ms. Rinaman pointed out the need to protect existing natural resources such as wetlands from being degraded. That's much less expensive than remediating after damage or degradation occurs. Mr. Hoyles said the original River Accord was largely a listing of projects to get some things done quickly; now we should be moving on to another phase. Ms. Rinaman said the Accord was a big deal at the time of its announcement and garnered lots of publicity and public buy-in. The *Florida Times-Union* produced a scorecard in 2016 that might be helpful to find and review. Commissioner Reddick said that State Road A1A in Mayport needs a "green" solution along the riverfront to protect the road. Capt. Suber

said that a lot of the pollution comes off of roadways via storm drains during rain events which is very obvious in older areas with no retention ponds, so the Public Works Department is going to have to be involved in solutions as well.

Chairman Peluso said he is excited by everyone's enthusiasm and buy-in today and hopes it can revive the River Accord in the public's mind.

The committee's next meeting will be on Friday, January 19 at 10 a.m.

Public Comment

John Nooney said he lives on a Category 1 wetland on Pottsburg Creek. He advocated for more public access to waterways. Public-private partnerships work. The waterways are a tremendous resource.

James Richardson with the Environmental Protection Board said the River Accord was a 10-year commitment when adopted. The *Times-Union's* scorecard will be a useful tool. The EPB's contribution to the Accord was the funding of the annual St. Johns River Report to show what results the projects were producing, which is also a form of a scorecard. The BMAPs were 15-year projects, and also represent a scorecard. EPB is happy to assist in this effort.

Mr. Peluso said the subcommittee needs to invite Riverfront Parks Now and the North Florida Land Trust to share their perspectives. Dr. Pinto suggested adding the St. Johns River Water Management District as well. Mr. Peluso said he will talk to Mayor and Council President about this subcommittee's plan and make sure they have no objections. Mr. Young said a scorecard of past accomplishments is useful, but what is needed is to establish a current baseline of conditions in order to measure progress going forward. Mr. Reddick said a scorecard needs a concrete purpose so that its results have real meaning.

Meeting adjourned: 12:00 p.m.

Minutes: Jeff Clements, Council Research Division
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