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**JACKSONVILLE WATERWAYS COMMISSION
River Accord Task Force**

Meeting Minutes

January 19th, 2024 10:00 a.m.

Location: Lynnwood Roberts Room, 1st floor, City Hall

In attendance: Chairman Jimmy Peluso; Waterways Commissioner Jon Michael Barker; Waterways Commissioner Richard Redick; Waterways Commissioner Rick Hartley; Waterways Commissioner (ex officio) Adam Hoyles; Jack Meeks, Planning Commissioner Liaison to Waterways Commission; Lisa Rinamen, St. Johns Riverkeeper; Captain Jim Suber, Waterways Coordinator; Lekki O’Leary, Mayor’s Administration; Shannon MacGillis, Office of the General Counsel; Dr. Gerry Pinto, Jacksonville University; Melissa Long, Chief of Environmental Quality Division; James Richardson, Environmental Quality Division; Jill Enz, Chief of Natural and Marine Resources Division; Eamon Webb, Council Research; Thomas Kallemeyn, FDEP; Kimberly Shugar, FDEP; Kenneth Weaver, FDEP; Greg Strong, FDEP; Katie Craver, FDEP; Douglas Conkey, St Johns River Management District

Also: Kurt Wilson, JEA

Meeting Convened: 10:00 a.m.

Chairman Peluso called the meeting to order. Eamon Webb of the Council Research Department spoke about the Florida Times Union Report Card for the first River Accord; the River Accord called for \$700 million over a 10-year span to improve the St. Johns River’s water quality through wastewater treatment plant updates, septic tank removals, and stormwater retention projects. Lisa Rinamen, St. Johns

Riverkeeper, noted that septic tank removal was an area for opportunity for future work, as only about 1,000 septic tanks were removed as part of the River Accord, falling short of the specified goal of 21,000.

CM Peluso noted that the septic tank removal process requires a certain threshold of septic tank removals to be met in a target neighborhood before moving onto another neighborhood, which could slow down the process. He asked for a representative from JEA to speak on this issue. Kurt Wilson, JEA, spoke about the upgrades to wastewater treatment plants that JEA had implemented as part of the River Accord; nutrient levels in the mainstem of the river were now significantly ahead of the specified goal. In regard to septic tank phase out, since the 2016 Ordinance Change, Biltmore and Beverly Hills West are complete, and Beverly Hills East connections are underway. Cristobel is the next neighborhood to be prioritized, and phase-out plans are currently in design, and project outreach has begun in Riverview, which is bigger than the previous three neighborhoods combined.

Funding must be present for septic tank phase-out in a neighborhood for project outreach to begin, and then JEA must meet a 70% consent threshold to begin design for a neighborhood, which is difficult to reach when many homes are owned by out-of-state corporations and thus non-responsive. JEA must also reach this threshold within a year, or else it must move on to the next neighborhood on the priority list, which could pose some issues in the future given the size of the Riverview neighborhood. Adam Hoyles, ex officio member, expressed concern that a minority of homeowners who do not consent to septic tank removal could hurt others in the neighborhood and stated that a goal of future legislation could be to make it easier to get the process started in each neighborhood. Kurt Wilson responded that it is the current stated goal of the administration to speed up the process and that several possible Ordinance changes are being considered.

Commissioner Jon Michael Barker expressed concern about the potential of depriving certain homeowners of votes to approve or deny septic tank phase-out programs within their neighborhoods, even if they are large corporations. He also noted that it appeared that the entire process had moved significantly more slowly than originally anticipated and that the entire process seemed significantly more costly than originally anticipated.

Lisa Rinamen asked whether JEA has plans to deal with unsafe levels of fecal coliform bacteria in the river system, specifically in tributaries; Kurt Wilson answered that it has made it a priority in its capital projects to replace old and leaking piping that contribute to this problem in tributaries.

Kimberly Shugar, Florida Department of Environmental Protection, noted that it had completed 90% of its planned projects to reduce nitrogen in the river. The Lower St. Johns River Mainstem BMAP has been successful and should serve as an example to the rest of the state. All BMAPs throughout the state need to be updated before July 1, 2025. Goals of new BMAPs will be to estimate growth for the next decade to get a sense of the effort needed to account for growth's effects on the river system and for the effect of water level rise.

Dr. Gerry Pinto asked whether it would be possible to know what levels of nitrogen loads are coming from outside the county, and Kimberly Shugar responded that it was working on creating models that could differentiate load amounts based on land use that would better isolate the effects of different

locations on the larger river system. Dr. Pinto asked whether the model had any predictive capacity based on future land use; Ms. Shugar responded that this was a priority with new models. Lisa Rinamen pointed out that the original BMAP did not account for growth, and DEP responded that accounting for growth was a requirement of the new BMAP. Ms. Rinamen asked whether the model would account for the loss of submerged aquatic vegetation over the years; the model may not specifically account for this variable but will be calibrated to the change in water quality over time. Dr. Pinto asked whether the model would attempt to isolate the presence of biosolids; Ms. Shugar responded that it would. Ms. Shugar also stated that it was starting up the process to involve stakeholders regarding the Rodman Reservoir to discuss what needs to be considered in the model because of this development.

Douglass Conkey, St. Johns River Management District, asked whether SB-64 was affecting FDEP's plans; this bill would require large utilities to eliminate surface water discharge by 2032. The purpose of this bill is to incentivize large utilities to re-use reclaimed water as efficiently as possible, and all large utilities must submit a plan to DEP to comply with this requirement. Lisa Rinamen asked whether BMAPs would be updated for tributaries that do not currently have a BMAP; only existing BMAPs will be updated by the July 1, 2025, deadline.

Commissioner Jon Michael Barker asked whether the total \$200 million originally promised for septic tank removal as part of the original River Accord had been spent despite the project removing fewer septic tanks than originally anticipated. Kurt Wilson explained that the actual cost to date had not been \$200 million; Biltmore C cost \$19 million and Beverly Hills cost \$34 million. Due to rising expenses, the current cost per septic tank is between \$45,000 and \$70,000. This cost factors in tearing up the road, connecting the sewer system, and buying property to set up lift stations. The total projected cost for high-priority neighborhoods is projected to be \$207 million, with Riverview being the largest and the costliest.

CM Peluso asked what the City and JEA should do to be prepared to submit to DEP for possible funding; Kimberly Shugar responded that the project evaluation process involves consideration of bodies like this River Accord taskforce to determine whether these projects are likely to be completed. Douglass Conkey stated that future projects could be framed in the lens of resiliency, as resiliency projects tend to receive funding. CM Peluso asked whether the Resiliency Plan was essentially the same as a Water Quality Plan; Lisa Rinamen responded that there are water quality projects within the Resiliency Plan, but the focus of the Resiliency Plan is not specifically water quality. Ms. Shugar added that resiliency funds elsewhere have been used for water quality-related projects such as septic tank removal. CM Peluso noted that identifying specific projects was a topic for discussion at the next taskforce meeting; having a list of potential projects would allow the City and State options for approval.

CM Peluso noted that the City could also use funds to leverage public lands to increase public access to waterways as a priority of a new River Accord. Dr. Pinto noted that a new River Accord could factor in synergies with other localities, as what happens south of Duval in the river system affects water quality in Duval County.

Public Comment:

James Richardson, Environmental Protection Board, noted that the EPB had just approved funding for a vulnerability assessment that would be going before the City Council in the near future. This process would present a snapshot of how many septic tanks currently need replacing in the City and which areas should be considered more vulnerable and thus prioritized for removal.

Margaret Spontak, Great Florida Riverwide Trust, explained the importance of pulling communities together and thinking regionally about the river system. She emphasized that connecting the river system and improving its quality would have economic benefits in addition to environmental benefits.

John Nooney stated that the FEMA house on Pottsburg Creek had two septic tanks that could be removed. He stated that those with whom he has spoken outside of Duval County have been receptive to improving water quality and public access to the river system.

CM Peluso thanked all stakeholders for their attendance and stated that priorities of a next meeting would be to discuss potential specific projects that the taskforce could recommend for prioritization and ways to increase public access. The meeting was adjourned.

Meeting adjourned: 11:35 a.m.

Minutes: Eamon Webb, Council Research Division
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