

Resolution No. 86-66

WHEREAS, the Environmental Protection Agency has issued a Consent Decree for Homer Smith Seafood located on Trout Creek in St. Johns County; and,

WHEREAS, it is incumbent upon the Board of County Commissioners of St. Johns County to encourage the most appropriate use of its resources consistent with the public interest and to deal effectively with future resource allocation and demand; and,

WHEREAS, it is the responsibility of the Board of County Commissioners of St. Johns County to protect and conserve its resources to assure a high quality of life for all its citizens, both present and future;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of St. Johns County to formally object to the following provisions and omission of the Consent Decree:

Section III: The \$20,000 penalty assessed against Homer Smith Seafood bears no relationship to either the value of the damage incurred, or the profits made through non-compliance with water quality standards. Records indicate that Homer Smith Seafood grossed \$225,000 weekly while operating at full capacity. The damage to Trout Creek and the St. Johns River, particularly its sensitive marine life, will require substantial sums of money and years to reverse, if it is reversible at all. This section should be amended accordingly.

Section IV, Paragraph 5, Lines 6-10: The Consent Decree already allows the facility to operate 90 additional days outside of existing state and federal water quality standards. There is no justification for permitting the facility to delay compliance with the directives outlined in the decree based on existing scallop harvest conditions. These lines should be omitted.

Omission: The Consent Decree does not address the potential need for clean-up of the receiving water bodies. The facility has been discharging approximately 3 tons of solids (containing toxic heavy metals and organics that deplete the oxygen levels) daily resulting in waste product build-up on the bottom of Trout Creek. The Decree should require bottom samples to be taken to determine its effect on the creek and what, if any, clean-up actions are necessary.

BE IT FURTHER RESOLVED, by the Board of County Commissioners of St. Johns County that a copy of this resolution be delivered to the Governor of the State of Florida, the Florida Department of Environmental Regulations, Senator Paula Hawkins, Representative Bill Chappell, Chairman of the House Natural Resources Committee James G. Ward, Chairman of the Senate Natural Resources Committee George L. Stuart, the Florida Department of Community Affairs, the Northeast Florida Regional Planning Council, and the First Coast Delegations.

Adopted this 10th day of June, 1986.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Francis N. Brubaker
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Cheryl Kent
Deputy Clerk