

**MINUTES OF THE CITY OF PENSACOLA
ENVIRONMENTAL ADVISORY BOARD
May 26, 2010**

MEMBERS PRESENT:

Bob Neiger
Eleanor Godwin
Chip Kirschenfeld
Peter Dohms
Debbie Hitchcock
Michael Smith
Chasidy Hobbs
Heather Reed

MEMBERS ABSENT:

Darryl Boudreau
Joe Lepo
Blair Stephenson

STAFF PRESENT:

Terri Kuvach	Community Development
Thaddeus Cohen	Community Development
Clyde Mathis	Director of the Port of Pensacola

OTHERS PRESENT:

AGENDA:

1. Quorum/Call to Order
2. Approval of Prior Minutes
3. Presentation from Sherry Myers

Staff Updates

4. Clyde Mathis, Director of the Port
 - a. Pensacola Pass
5. EAB Member Comments
6. Public Comments - Open Forum

ITEM 1 - Quorum/Call to Order

The meeting was called to order at 3:09 p.m. by Mr. Neiger.

ITEM 2 – Approval of Prior Minutes

Mr. Kirschenfeld made the motion to approve the March 24, 2010 meeting minutes and Mr. Neiger seconded.

ITEM 3 – AT&T Power Pole presentation from Sherry Myers

Ms. Myers who lives at 526 Parker Drive introduced herself and Ms. Parker who lives at 5922 Sewell Street, to the EAB. Ms Parker has an AT&T pole in her yard that gives off a solvent odor. Ms. Myers passed out pictures of the utility pole in Ms Parker's yard that showed the proximity to the storm water drain. Ms. Myers also handed out an information package stating her background and interest in the health and environmental impact of the AT&T utility poles and remediation recommendations.

Ms Myers obtained the material safety data sheet for the AT&T poles from the City Attorney. The data sheet stated the chemicals used in the poles are diesel fuel and pentachlorophenol which were both used at the contaminated Escambia Wood Treating Superfund Site.

Ms. Myers made the following recommendation to the EAB:

- Order AT&T to remove and replace the two poles on Sewell Street.
- Order AT&T to cease installing poles that emit an odor and leach chemicals into the soil. All of the poles that AT&T has installed in the past year are odor emitting poles.
- Request the City test the soil and air around the new AT&T poles on Sewell Street.
- Request the City obtain a Material Safety Data Sheet on the poles installed by Gulf Power on City's right of ways.
- Review the City's franchised agreements with utility companies and city codes to require all new poles to be "green" nonpolluting poles.
- Request the City hire an environmental coordinator.
- Request the City approach the County regarding obtaining grant funds to research the environmental and health impacts of wood utility poles and to develop a plan and strategy to begin converting to nontoxic poles.
- That the EAB meet on a regular basis to address all of the environmental issues raised including developing a plan to review the City's other environmental policies as they pertain to the use of pesticides, integrated pest management and any other environmental issues such as the oil spill that needs to be addressed on a continuous basis.

Mr. Dohms had a few questions for Mr. Cohen after the presentation. He asked if anyone from the City has visited the site and Mr. Cohen said yes, the City had staff check out the poles. Mr. Dohms asked if the poles are in the City's right of way and Mr. Cohen stated that the poles are in the City's right of way. Mr. Dohms asked how many complaints has the City received regarding these poles and Mr. Cohen stated only one. Mr. Dohms asked if the City Attorney had been made aware of the pole issue and Mr. Cohen stated that Ms. Myers brought the issue up at City Council and the City Attorney was present.

Mr. Neiger was concerned that the City is not proactive in preventing environmental issues such as the AT&T pole and the American Creosote Works Superfund Site. Mr. Neiger wanted to know who made the poles. Ms. Myers informed him that a company out of Brewton, AL manufactures the poles and chemically treats them with pentachlorophenol. Mr. Neiger was also concern about the State of Florida's regulation of chemicals used to treat wood and wanted to know exactly what the State was doing to prevent chemical contamination of the soil and water. Mr. Dohms stated that he was not aware of any regulation regarding pentachlorophenol. *

Mr. Cohen agreed to request the two poles in question be removed and will also discuss with AT&T a different solution in the future for replacing the wood treated poles.

ITEM 4 – Pensacola Pass- Clyde Mathis

Mr. Mathis informed the EAB that there are three different projects regarding dredging set to happen within the year. The first is maintenance dredging at the docks of the Port of Pensacola which will begin at the end of the summer and early fall. The next project is dredging of the channel approach and the final is dredging of the Pensacola Pass. The dredging of the channel approach and the dredging of the Pensacola Pass are Federal projects and have little to do with the Port. Mr. Mathis had met with the US Army Core of Engineers earlier in the year to give an update on the two projects. All permits have been approved for the dredging projects. DEP had a small issue with the permit for the Pensacola Pass but the problem was resolved. The issue had to do with funding.

Mr. Dohms asked where will the Port put the storage from the dredging and Mr. Mathis informed him that there is storage on the Northeast corner of the Port.

On behalf of Ms. Reed, Ms. Hobbs stated that the concern regarding the Pensacola Pass dredging permits was in reference to restoration project at Deadman's Island. Mr. Mathis stated there will be no problem with the maintenance dredging at the Port but he could not verify that for the other two Federal projects.

ITEM 5- EAB Member Comments

Mr. Neiger asked the EAB if they received the presentation from the BP representative that spoke with City Council. Mr. Neiger was concerned because BP set up a staging site that no one knew of until it was established. He did visit the staging site but was concerned that the area was not stable enough to set up an additional contamination site.

Mr. Cohen stated that BP will give an additional presentation at City Council with technical staff from BP. Mr. Cohen also stated that the County is the lead on the oil spill project. The County reports to the State and the State reports to the Federal government based out of Mobile. Mr. Kirschenfeld reiterated that when the Governor declares a state of emergency, local government has little to do with the permitting process.

Ms. Hobbs and Mr. Kirschenfeld took a tour of the BP's staging area and were asked to give an update. Mr. Kirschenfeld's concern with the site is the storm water run off in Bayou Chico but BP assured him that there is 100% retention at the site. Mr. Garza with the City's Public Works Department confirmed that BP will protect the storm water drains. Ms. Hobbs asked BP how they were going to remove the oil and the plan is to use lined trailers to haul the materials. Mr. Dohms asked how the contaminated materials from other areas affect the Bayou Chico. Mr. Kirschenfeld stated that Florida oil clean-up will go to a Florida staging site and Alabama oil clean-up will go to an Alabama staging site.

Ms. Hitchcock wanted to know about the decontaminating of materials and did they plan on decontaminating the material on site or sending it off. Mr. Garza stated they will clean some things with soapy water but most of the materials will be sent off.

Mr. Neiger was concerned that BP did not inform the City on their plans to set up the staging area. Mr. Cohen informed him that the City was informed and requested that BP inform the Council.

Ms. Reed wanted to inform the EAB that 98 tar balls have been found in Florida waters. The tar balls have not been analyzed to prove they are from the BP oil spill.

Ms. Hobbs informed the EAB that she was working on organizing the ordinance establishing the EAB at the request of council so that the EAB can meet more frequently. Mr. Cohen stated the reason for less meeting was due to limited staff. Mr. Neiger stated that in the ordinance establishing the EAB in section 3 one of the provisions is the board shall review and make recommendations to the City Council and staff on environmental policy issues as follows: Proposed ordinances and codes of an environmental issue. The change in the ordinance will be in section 3 part 5: Other

environmental matters referred to the Board by the City Council and staff. Thaddeus suggested the EAB create the language for the new ordinance and send it to the City Attorney.

Ms. Hobbs wanted to know if the City Manager had the contact number to the Unified Command Center and Mr. Cohen stated that the manager has the ability to sit in on the conferences regarding the oil crisis.

ITEM 6- Public Comments- Open Forum

Mr. Bob Neiger asked if there were any additional comments from the audience. A member of the Yacht Club voiced concerns about scheduled events happening in the same area as BP's staging site. He was concerned about traffic in and out of the Bayou Chico area. Mr. Kirschenfeld suggested he bring the traffic concerns to Council on Thursday evening. Mr. Cohen recommended that instead of going before Council, he should go directly to the County being that they are the lead on making arrangements with BP regarding the traffic concerns.

Ms. Myers suggested the EAB meet more often to address the needs of the citizens.

Mr. Bob Neiger asked if there was any other business to come before the Environmental Advisory Board. There being none, the meeting adjourned at approximately 4:46 p.m.